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HISTORY
OF
THE CARNEGIES
EARLS OF SOUTHESK,
AND OF
THEIR KINDRED.
BY
WILLIAM FRASER.

VOL. I.

EDINBURGH.
1867.

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HISTORY OF THE CARNEGIES,

EARLS OF SOUTHESK,

AND OF THEIR KINDRED.

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Lithographed by Messrs. W. and A. K. Johnston, Engravers, etc., to the Queen, 4 Saint Andrew Square, Edinburgh.

Armorial Bearings of the present Earl of Southesk on the side of Book.

PREFACE.

Before the Earl of Southesk intrusted me with the editing of a Book on the family of Carnegie, I had already become well acquainted with the history of the Earls of Southesk and their ancestors, from the investigations made by me to aid in substantiating the claims of the Earl and his father, the late Sir James Carnegie, to the peerage. It is due to Lord Southesk to record that he was one of the first noblemen who proposed a work of this description, although from peculiar circumstances, which it is unnecessary to explain, similar Memorials of other families have been undertaken and completed by me whilst the present work was in preparation. The delay in executing his commission, however much to be regretted in other respects, has been attended with the advantage of bringing to light several documents of interest, which would not have appeared in this work had it been finished at an earlier period.

The charters of the Carnegie family were destroyed by the burning of the mansion-house of Kinnaird after the battle of Brechin in the year 1452. The family afterwards formed an extensive collection of muniments, particularly in the time of Sir Robert Carnegie, and his sons, Sir John and David Carnegie, and his grandson, the first Earl of Southesk; but these again suffered from the confusion of the times, having been dispersed on the forfeiture of the fifth Earl in 1716, when the Family papers were taken possession of by the Commissioners on the forfeited estate of Southesk. Another disaster awaited these papers, for many of them, while in the

possession of the Barons of Exchequer, who came in place of the Commissioners on the Forfeited Estates, appear to have been burned in the fire which occurred in the early part of the present century in the Old Exchequer Chambers at Edinburgh, where they were deposited.

But notwithstanding these misfortunes, there still remained in the Charter-room at Kinnaird a large collection of valuable muniments, all of which were placed at my service by the present Earl. The labour of dealing with this mass of writings was much increased by the want of any previous arrangement or inventory of them, but they have been all carefully examined, and it is believed that little contained in them, having any material bearing on the family history, has passed unnoticed in the present work.

The INTRODUCTION, which forms the first division, contains a history of the territorial Earldom of Southesk, including the baronies and castles of Carnegie, Kinnaird and Farnell, also of the Earldom of Montrose, commonly called Old Montrose, the Great Moor or Forest of Monrommon, the lordship, castle, and church of Leuchars, the lands of Colluthie, the barony and castle of Pittarrow, the barony and mansion-house of Ethie, and the baronies of Redcastle, Balnamoon, and Lour.

In the account of the barony of Carnegie some remarks will be found on the etymology of that surname, and on the reputed origin of the family of Carnegie; while under the history of Kinnaird is given a full description of the castle, policies, and parks, as these have recently been enlarged, improved, and ornamented by the Earl of Southesk.

To the Introduction is added a brief account of the armorial bearings of the Carnegie family.

The HISTORY OF THE MAIN LINE OF THE CARNEGIE FAMILY, which occupies the first part of the work, traces the descent of the family from John de Balinhard in the thirteenth century, to the present Earl of Southesk. This division includes notices, in some instances brief from scantiness of mate-

rials, of the Balinhards of Balinhard, and of the Carnegics of that Ilk, and afterwards of Kinnaird, and full memoirs of the Lords Carnegie and Earls of Southesk.

After the main line of the Family, are given detailed Memoirs of those houscs which branched off from time to time from the parent stock. These include the line of Pittarrow, which has carried on the male reprcsentation of the family, and from which have sprung many influential families of the name of Carnegie. Under this head notice is taken of Margaret Carnegie, Lady Salton, and her husband, Henry Fletcher of Salton, and their eldest son, Lord Milton.

The next in order is the branch of Carnegie of Tarrie, followed by the junior branch of Pittarrow, in which notices are given of another lady of great worth, Susan Scott of Benholm, who, as Mrs. Carnegie of Pittarrow and Charlton, became a prominent member of the Carnegie family, and did many good deeds which have endeared her memory to her kindred and the poor, to whom she was a great benefactress. In the Appendix are printed several poems written by that accomplished lady.

One of the cadets of the junior branch of Pittarrow is Mr. Carnegie of Stronvar, who has successively acquired large portions of the ancient lordship of Balquhidder, well known as the country of Rob Roy. Since the account of that branch was written, an original letter of King James VI., dated in 1586, relating to the lordship of Balquhidder, has come under my notice. In that letter King James sets forth that, at his earnest desire, Sir John Murray of Tullibardine had paid to Ludovick Duke of Lennox 8000 merks for the redemption of his lands and castle of Inchinnan. He therefore expresses his will that Sir John Murray shall have the heritable right to the lordship of Balquhidder, and promises, on the 'inviolabill wourd of ane prince,' to maintain Sir John in the peaceable possession of the lordship in all time coming. He also grants authority to Sir John to remove from the lands and lordship all such persons as he thinks proper who have given their allegiance to other persons than the lords

thereof, that the lands may be reduced peaceably to him, because Sir John, at the earnest desire of the King, had advanced great sums of money far above their value.[1]

After the Stronvar branch, the next in order is the line of the Earls of Northesk, of whom an account, derived chiefly from the family papers at Ethie House, is given.

These Memoirs are followed by Tabular Pedigrees of the branches of Finhaven,[2] Lour, Kinfauns, Boysack, Balnamoon, Balmachie, Cookston, and Craigo.

The following notice of ladies of the Craigo branch, who were remarkable for their longevity, has been recently communicated to me :—

Mrs. Margaret Carnegy of Craigo, aged eighty-seven years complete; born in Montrose, and passed her life, a few years excepted, in it and its vicinity; never had a fever; her eyesight entire to the last.

Her sister, Miss Carnegy, was also born in Montrose, and lived for the most part in it, till her death, aged eighty-one years complete. Very healthful all along, and did not lie in bed one day till her death; memory and judgment entire to the last. Their great-grandfather, David Gardyne, Esq., of Gairden, had twenty daughters and four sons, all by one lady, Elspeth Arbuthnot of Arbuthnot. They lived sixty years in the married state; died at eighty-six years. Both lived temperately. Both had their memory and judgment vigorous to the last. They had six daughters

[1] Original Letter in the Athole Charter-room at Dunkeld.

[2] At Finhaven there was a chesnut-tree famous for its great size. In 1745 it measured as follows :—Circumference of the smallest grain, 13 feet 23⅛ inches; of the largest grain, 23 feet 9 inches; of the smallest part of the trunk, 30 feet 7 inches; of the top of trunk, where the grains branch out, 35 feet 9 inches; of the root end of the trunk, half a foot above the ground, 42 feet 8½ inches. A drawing of this tree was engraved in the year 1750.—[Copy of the Engraving in the possession of Mr. William Ford, Minto Street, Edinburgh.]

The Earl of Southesk has at Kinnaird an old table made from this tree. It is an oval, 4 feet 9 inches by 4 feet 5 inches, of solid wood, and in the centre is a squared space 12 inches by 8 inches, in which is a portrait of the chesnut tree done in wood-mosaic of various colours. Attached underneath is the engraving referred to. The table is believed to have come from Finhaven Castle. It has been at Kinnaird since last century at least.

married to gentlemen of fortune, in the counties of Angus and Mearns, and lived to between eighty-six and ninety years. They were brought up in a cold house, the Castle of Gairden, and had no fires in their rooms till married.

Miss Carnegy's aunt, Lady Nicolson, lived till ninety-two years complete; vigorous as to body and mind till her death; and on her death-bed signed a deed of entail sixty times with her own hand. Her sister, Lady Arbeikie, lived eighty-eight years complete, and was cheerful with her friends the night before her death, knowing herself dying. Both the sisters, and the whole of the family, were remarkable for temperance.[1]

One of the Craigo ladies, Miss Helen Carnegie, was very proud of her royal descent. On hearing that the King of France was beheaded at the beginning of the Revolution in 1794, she fell into a severe faint. After recovering, on being asked why she took the King's death so much to heart, she said that 'she was herself descended from kings.'

The APPENDIX contains Letters, Charters, and Miscellaneous Papers. The letters are chiefly from Lady Katherine Carnegie, Countess of Traquair, to her husband, the first Earl of Traquair. From the devoted attachment which they display, on the part of the writer, to her husband during his great misfortunes, they undoubtedly deserve a place in this collection.

The MISCELLANEOUS PAPERS include accounts of the burning of the 'rebel colours' taken at Culloden in 1746. The colours of the different clans are shown by the lists, and they were burned by the common hangman and 'a chimney-sweep,' amidst the huzzas of the heralds and the populace of Edinburgh.

The CHARTERS, although fewer in number than was originally intended, form a very interesting collection, and contain much information regarding families and lands in the counties of Forfar and Kincardine.

[1] Account of Persons remarkable for their health and longevity, by a Physician. London, 1829. 8vo, pp. 133.

The earliest charter in this collection is that by King Malcolm IV., commonly called the Maiden.[1]

The King thereby grants to the Abbey of St. Mary of Jedburgh, and the abbot of the same, the church of St. Peter of Rostinoth, with Rostinoth, in which that church is built;[2] also Crachnatharach, Pethefrin, Teleth, Duninath, Dyserth, and Egglespether, with the subjects and manors belonging to them.

The charter is remarkable for the extent and variety of the gifts which it contains. Besides the church and lands above enumerated, it grants the tenth of the King's casualties in Angus, and of agreements anent gold and silver, and all money; the tenth of the cane of his cheese, and of his

[1] Appendix, p. 475. Malcolm, when in the twelfth year of his age, succeeded his grandfather, David I., in 1153; and after a reign of twelve years, he died at Jedburgh, on the 9th of December 1165. The title of Maiden, which has been popularly applied to him, was probably owing to his effeminate appearance. That appellation, in so far as it is supposed to have rested on his celibacy, was not exactly merited, as is proved by a grant which he made to the Abbey of Kelso for having received the body of his son in the Church of Innerleithen.—[Registrum Cartarum de Kelso, vol. i. p. 23.] As Malcolm was never married, this son must have been illegitimate.

[2] Boece states, in his History, that though Fergus II. had at first appointed Ycolmkill for the keeping of the monuments of our history, yet, long after, King Alexander I., considering the distance of Ycolmkill, and the difficult access to it, caused our annals, and other monuments of history, to be removed from that island, and transported to the Priory of Rostinneth in Angus.—[Critical Essay on Scotland, by Thomas Innes, 1729, pp. 222, 223.] In the succession wars of the thirteenth century, the priory was plundered, and the monuments of the history of Scotland probably then suffered with the priory.

The church of the parish of Rostinoth continued to be used till the year 1591, when the principal parishioners entered into an agreement that Mr. David Lindsay, their minister, should in future resort to the burgh and kirk of Forfar as a convenient place for the Word of God and sacraments. That agreement proceeds on the consideration of the great inconvenience and 'skaythe 'susteuit, and to be sustenit, be ws and 'the remanent of our parochiners of Res-'tennoth throwe our conventioune at the 'kirk thairof, in the wickit and evill dayes 'of wynter, and vthers the lyk in the zeir 'lange, and of the want and inlaik at the 'said kirk' (Rostinoth) 'of easment and 'refreshment to mane and beist; and of the 'discontiguetie of mony of our duelliugs 'theirfra.'—[Original Agreement at Salton.]

The grant made by King David II. to Rostinoth on 10th June 1344, shows that his brother-german John was buried at Rostinoth. This is probably the only evidence which instructs that King Robert the Bruce had a second son.—[Acta Parl. vol. i. p. *156.]

brewery, and of his mill and fishing of Forfar; also ten shillings from Kynaber; the tenth of his rent of Salorch, Munros, Rossie, and twenty shillings for lighting the church of Salorch; the tenth of the cane of his hides and of his pullets from his coops of Angus, of the salt-works of Munros, and the mill of the same; also the free ferry of Scottewater; and tofts in Perth, Stirling, Edinburgh, Forfar, and Salorch.

All these grants Malcolm made for the welfare of the souls of his grandfather, David I., of his father, Prince Henry, his mother, Ada, his brothers and sisters.

Salorch mentioned in the charter, appears to have been the old name of Montrose. Hector Boece, in relating the invasion of Scotland by the Danes, and their landing at Montrose (Mons Rosarum, as he calls it), between the years 970 and 992, in the time of Kenneth, son of Malcolm I., describes Montrose as standing on the table-land projecting into the marshes of the Southesk, and its walls as washed by the waters of that river, where they mingle with the sea, and says that at that period it was called Celurca; adding that it was then the most populous town in Angus; that its walls were levelled with the ground, its houses reduced to ashes, and its inhabitants completely exterminated by the Danes.[1] On many subjects of history this learned author is not a safe guide; but as he was a native of Angus, and must have heard of the early traditions about Montrose, his opinion on this point is worthy of consideration. The particular time at which the rising town first received the name of Montrose is uncertain, but it was evidently before the date of the charter of King Malcolm IV. At that date, as may be concluded from the internal evidence of the charter itself, while the town was called Montrose, the older name of Celurca or Salorch was still given to the territorial tract—probably the peninsular tract to the east of the basin,

[1] Boethii Historia Scotorum, Parisiis, 1574, lib. xi. p. 228. Hollinshead, in his Scottish Chronicle, Arbroath, 1805, vol. i. p. 305, apparently quoting from Boece, gives a similar account. The allusion is omitted by Bellenden in his translation of Boece.

with its church and hamlet—to which originally it was more particularly applied. This name, as the actual town of Montrose extended, gradually became obsolete.

Mr. Jervise, in his Memorials of Angus,[1] maintains that Salorch church did not denote the original church of what is now the town of Montrose, and that it was probably the place now called Tayock, which forms part of the estate of Langley Park, in the parish of Dun. But these suppositions are not supported by any authority, and it may be doubted, from various considerations, whether they are well founded. His argument rests mainly on the position which the name Salorch has in the charter of King Malcolm, being placed between Kinnaber and Munros, and such, he observes, is the situation of Tayock. But the mere fact that Salorch is so placed in that charter, is no evidence that Salorch was situated between Kinnaber and Munros, for lands and towns are not classed in it according to their locality. Tofts are granted in Perth, Stirling, Edinburgh, Forfar, and Salorch, without any attempt at geographical arrangement.[2]

There is in this charter a grant of the 'cumelagas et cumherbas,' terms which have given rise to much discussion, but which have never been satisfactorily explained.

This charter of King Malcolm was confirmed by Arnold, Bishop of Saint Andrews, who was his contemporary.

These two charters were discovered by me in the year 1851, among the muniments at Salton. They were then quite unknown both to Mr. Fletcher, the owner, and to charter scholars. To the late Mr. Chalmers of Aldbar, who was much interested in the history of Forfarshire, and who was at that time making extensive examinations of the charter-chests of the county, I communicated the charters. In his letter acknowledging them, dated

[1] Pp. 60, 413.

[2] In a charter said to have been granted by King David I. to his burgesses, of the lands of 'Salorkio,' the water of 'Thawhoke' (Tayock) is mentioned. We have not seen the original of this charter, nor the charter of confirmation by King Robert II., in which it is said to be engrossed; but if the charter of King David is authentic, it would of itself settle that Salorch and Tayock were two distinct places—both being mentioned separately in it.

August 9, 1851, he writes: 'I have a small lot of Rostinoth charters here, 'and one rental among them which is useful for Forfarshire history; but 'none of them served to show how Rostinoth became the property of 'Jedburgh, and for that purpose yours is most valuable.'[1]

A few words will explain how these charters came into the custody of the present possessor of them. After the Reformation the Priory of Rostinoth was annexed to the Crown. On 9th July 1606, an Act of Parliament was passed empowering King James VI. to grant the priory to Thomas Viscount Fentoun, afterwards Earl of Kellie, in recompense of the noble service done by him in saving the life of the King on the occasion of the conspiracy of John third Earl of Gowrie.

Mr. George Fletcher, afterwards Sir George Fletcher of Rostinoth, knight, acquired, before 1st September 1627, the priory from the Earl of Kellie, as appears from a resignation made on that date by Mr. George Fletcher. In that deed the granter declares: 'Albeit I have acquired the 'Priourie of Restenneth at a deare rate, and for ane onerous caus, from 'the Earle of Kellie, to quhom the same was disponed by the late King, 'with consent of the Estates of Parliament, in remembrance of that glorious 'and notable service performed by the said Earle at Perth, in the preser-'vation of his Majestie's sacred persone;' yet the granter submits himself to King Charles I. as to the value of the feu-duties and teinds of the lands.[2]

Along with Rostinoth, Sir George Fletcher had no doubt acquired the charters of King Malcolm and Arnold, Bishop of St. Andrews. Being an antiquarian, Sir George knew the value of the charters. His brother, Sir Andrew Fletcher, Lord Innerpeffer, was one of his executors; and his

[1] Soon after these charters were discovered, I showed them to the late Mr. Joseph Robertson. Although it is a long time since—it was on 2d August 1851, as I see from a note in his copy of Wood's Peerage which was lately acquired by me—I have not forgotten the keen relish with which he scrutinized the charter of Malcolm. It was new to him, and as he made hasty notes from it, he repeatedly said that it was the most interesting charter which had been discovered for many a day. No man knew better the value of an early church charter.

[2] Original Resignation at Saltoun.

Lordship must have brought these charters to Salton, which was acquired by him about the middle of the seventeenth century. The charters lay there for two centuries, ensconced in a cobweb corner, till I came upon them.

By the kind permission of Mr. Fletcher of Salton, a fac-simile of the original charter by King Malcolm has been lithographed for the present work.

Another early charter in this collection, of some interest, is a grant by King Robert the Bruce to Peter of Spalding, of the lands of Ballourthy and Petmethy (Balzordie and Pitmudie), with the office of Keeper of the King's Forest of Kilgerry, and the foggage thereof, reserving to the King the vert and venison, for services rendered to the King, and in exchange for certain tenements in the burgh of Berwick-upon-Tweed.

The chief service rendered to the King by Spalding was the betrayal of the town of Berwick into the hands of Bruce in the year preceding the date of the charter. The excuse for this transaction on the part of Spalding was the tyranny of the English to the inhabitants. His townsmen, however, looked upon him as a traitor, and he was obliged to fly to Scotland for safety. The King, for the important service rendered to him by making him master of Berwick, had obviously desired to befriend Spalding; and to compensate him for the loss of his Berwick property, he granted him lands in Angus. But even there he was not safe, for it is recorded by an old chronicler that he was slain by the Scots.

Among the charters are several by King Robert the Bruce to his faithful adherent, David of Graham, of the lands of Old Munros, Charlton, and Kynnaber, and a charter by King Robert II., confirming one by King William the Lion to Sir David of Graham, elder, Knight, of the lands of Kynnaber, Charlton, and Borrowfield, and the fishing of the water of Northesk, for the service of a bowman in the King's army.

From the time of King William the Lion, the family of Graham held lands in the county of Forfar, and it was from the lands or town of Mon-

trose that they took the title by which they have been so distinguished in history.

In the account of the marriage of James Earl, afterwards Marquis of Montrose, and Lady Magdalene Carnegie,[1] in the Memoir of her father, reference is made to the portrait of Montrose, which was painted shortly before his wedding by Jamesone, and which is still at Kinnaird. It may be added, as an evidence of the remarkable reproduction of likenesses in families at long intervals of time, that a member of the present family of Montrose is so very like the portrait of her ancestor that it might well be taken for an excellent likeness of his descendant after the lapse of nearly two centuries and a half. Shortly after the portrait was engraved for the Memorials of Montrose printed by the Maitland Club, a copy of the engraving was sent to the aunt of the lady referred to, who, in acknowledging it, remarked the striking likeness between her niece and the portrait.

The charter by John Erskine of Dun to Walter Ogilvie of the lands of Carcary, throws some light on the ancestor of the noble house of Airlie. Carcary appears to have been the first land acquired by Walter Ogilvie in the year 1400. The lands were to be held by him and his heirs-male, whom failing, by Alexander of Ogilvie, Sheriff of Angus, and his heirs.[2]

In early times various offices or trades were hereditary. Among these was the trade of smith in particular districts, of which we have an instance in the retour by which Alexander Lyndesay was served heir to his father, Richard Lyndesay, as smith of the common smithy of the lordship of Brechin, including Leuchland, and several other lands now forming part of the estate of Kinnaird. The service was expede in the

[1] This was one of the many marriages of the Montrose family, which, for four centuries, were always with the daughters of actual peers, and never with an heiress of an estate. For seven hundred years the Graham family have descended in the direct line without a collateral succession.

[2] Appendix of Charters, No. 53.

Court-house of Forfar before the Sheriff and an inquest made, by a commission from the King and a deliverance of the Lords of Council, on 29th April 1514.[1] The inquest declare that the late Richard Lyndesay and his predecessors and progenitors, smiths of the common smithy of the lordship of Brechin, by a good, laudable, and permitted custom, yearly uplifted and received heritably, for the work of the said smithy, nine firlots of good meal from each plough and mill of the husbandmen of these towns underwritten, namely, Balnabrech, Kindrokat, Petpollokis, Pettindrech, Haugh of Brechin, Buthirgille, Pettintoschall, Balbirny, with the mill, Kincragie, and Luchland, with the pertinents, and the fleece of one old sheep yearly from each husbandman of the foresaid towns for the making of the scissors or wolshears of the foresaid husbandmen, and also common pasturage for two cows and one horse, with free ish and entry in the said Haugh of Brechin; and that the said Alexander Lyndesay, son of the said Richard Lyndesay, is the lawful and nearest heir of the said deceased Richard, his father, to the said smithy and the said work, with the said privileges, profits, and pertinents; and that the said work, with the said profits and pertinents, is hereditary to the said Alexander Lyndesay and his heirs for ever; and that the said Alexander shall maintain the said smithy, together with the work due therefrom and wont (to be done) to the said husbandmen for ever.

This retour was printed in the year 1852, in the fifth volume of the Miscellany of the Spalding Club, p. 291, from a copy made by Mr. Harry Maule of Kelly between the years 1700 and 1730. The editor of the Miscellany, Mr. Stuart, regrets the inaccuracy of Mr. Maule's transcripts; but he thought that access could not be got to the original papers, and decided to print the copies rather than run the risk of wanting them altogether. This was a wise and prudent resolution, for which the editor is to be commended. But an examination of the original retour in Lord Gray's charter-chest shows the danger of printing ancient documents

[1] Appendix, No. 81.

from transcripts not properly authenticated, and without reference to the originals.[1]

Another peculiar instance of hereditary title is furnished by the charters of the Hermitage of Saint Mary's Chapel in the Forest of Kilgerry, in the parish of Menmuir. Hugh Cumynth was the hermit in 1454; and on the 4th November of that year, he granted a procuratory for resigning the hermitage into the hands of the King.[2] The resignation was made, and the Hermitage was regranted by the King to Alexander of Fowlartone, his special esquire, on the 16th of February following.[3] John Smyth, citizen of Brechin, acquired right to the Hermitage by a charter from the Crown, dated 12th May 1445,[4] with a special reservation of the accustomed benefit of the prayers of the hermit. William Symmer of Balzordy acquired the Hermitage from Smyth in excambion for an annualrent of one merk from the tenement of Walter of Crage, of Swanston, in Brechin, by a charter dated 8th August 1461.[5] The ruins of the Forest Chapel of the Virgin existed till lately in the vicinity of a fine spring, still known as the Lady's Well.

Other charters in the collection refer to Umfraville Earl of Angus, the families of Ogilvy of Airlie, Wishart, Abernethy, the Sibbalds, and Pitcairns of Mondynes, the Mowats of Ferne, the Foresters of Corstorphine, the Frasers of Kinnell, and other Forfarshire families.

[1] Besides many smaller errors, the following discrepancies occur between the original retour and Mr. Maule's copy, as printed in the Spalding Miscellany: —

Alexander 'Welle,' one of the inquest, is printed 'Wallace.'

'Kukstonne' is misprinted 'Kirkstun.'

'Lenauernnt' is misprinted 'habuernnt.'

'Pittendrech' is misprinted 'Pittinde.'

'Buthirgille' is misprinted 'Brichtie mill.'

The words 'forficum ant wolscheris' are misprinted 'forcinii autoritate vulgari.'

The words 'cum libero' are misprinted 'cuilibet.'

'Lie Haugh' misprinted 'Longhauch.'

'Imperpetuum' is misprinted 'comper-tum.'

'Veritatis' is misprinted 'vicecomitis.'

Mr. Stuart, in commenting on this instance of the 'nnmerous heritable hereditary offices,' construes 'forcinii autoritate vulgari' as 'for the working of a forge' (Preface, p. 25), but the real meaning, according to the true words of the retour, appears to be, *for the making of the scissors or wolshears*.

[2] Appendix of Charters, No. 70.

[3] *Ibid.* No. 71.

[4] Registrum Episcopatus Brechinensis, Preface, p. xxii.

[5] Appendix of Charters, No. 72.

Such is an outline of the record of the Carnegie Family as now formed into the present work; the first book of the kind which has been written in relation to a Family in the county of Forfar.

One of the earliest topographical descriptions of Angus was written in the year 1678, by Mr. Robert Edward, minister of Muirhouse, commonly called Murroes, in that county; and it was intended to accompany a large map of the county, which he prepared. His description was printed on one side of a large sheet of paper. But it is so very rare, that for a considerable time the only copy known to exist is in the Library at Panmure House. It was discovered there, among some loose papers, about the year 1780.

Mr. Robert Edward, who was the son of Alexander Edward, merchant burgess in Dundee, was designated citizen of Dundee, as well as minister of Murroes.[1] He is mentioned by Charteris, in his catalogue of Scottish Writers, as the author of 'The Doxology approven, 8vo., Edinburgh, 1683.'

Since the time of Mr. Edward many histories of the shire of Forfar, or of particular towns, abbeys, etc., in it, have been written, and two cartularies of the great religious houses of Arbroath and Brechin have been recently printed. All these works, in their several ways, have elucidated the history of the important district of Angus. The present work has no pretension to be a history of that county, but only of one of its most ancient families, which has been long closely connected with it by birth, property, and office. At some future time the charter collections of the great houses of Panmure, Strathmore, Airlie, Gray, and many others,

[1] Original Note-Book of Mr. Alexander Edward, son of Mr. Robert Edward, minister at Murroes, at Panmure House. Mr. Alexander Edward notes many passing events. Two of his notes may be quoted, as one of them at least is quite pertinent to the present work, and the other contains a curious notice of a former Forfarshire Laird.

1677, *June* 21.—This day Jean Fothringham was married with John Carnegie of Boisak.

Jan. 23, 1678.— . . . Preached at Barr. This night sat up with good, frugal, old, dieing Duntroon, of age 86 years, of the which seiknes a feaver he died in five days. He was mervelusly vigories as to his age: tuo weiks befor road to Edenburg. He never lost on of his teeth throg age, nor weer a westcot in the night, nor neided spectikle to read the smalest print; and just eght days befor him died William Brock in Dondie, my father's cusin-german, being 79 years of age.

may also in the same way be made available to the public. These houses, which have existed for so many centuries, contain abundant materials for illustrating the history of the county in which they are situated, as well as the history of the nation.

Besides the historical houses of Angus, the prosperous burghs within its bounds possess many valuable records, throwing light on their rise and progress in commerce and civilisation.

The records also of the religion established at the Reformation, as contained in the registers of the Presbyteries and Provincial Synods, within the bounds of Angus, must contain valuable materials for illustrating the history of that county.

All valuable records, whether of private families, or royal burghs, or of the ecclesiastical establishment, which would illustrate the history of the county with which they are connected, either civilly or ecclesiastically, should be opened up to the public.

While engaged on this work, several noblemen and gentlemen have generously allowed me to examine their family papers for documents bearing upon the Carnegie family. The Duke of Montrose, representing the former proprietors of Old Montrose and other lands now belonging to the Southesk estates, the Dukes of Buccleuch, Argyle, and Athole, the Earl of Dalhousie, as the proprietor of the lands of Carnegie and other Carnegie lands, the Earl of Home for the Countess of Home, as representing the Earls of Angus, the Earl of Rosslyn, as representative of Master of Sinclair, the second husband of Margaret Countess of Southesk, the Earl of Haddington, the Earl of Airlie, Sir John Ogilvy of Inverquharitie, Baronet, M.P., Sir William Drummond Steuart of Grandtully, Baronet, Henry Fullerton Lindsay Carnegie, Esquire of Boysack and Kinblethmont, Patrick Watson Carnegy, Esq. of Lour and Turin, James Badenach Nicolson, Esq., younger of Glenbervie, have all allowed me, in the most generous manner, to examine their charter muniments, and to use them, so far as necessary, for this work.

The Duchess of Sutherland and Countess of Cromartie, in her own right, has given me permission to print the interesting letters of her distinguished ancestor the learned first Earl of Cromartie.

The Earl of Northesk confided to me the Northesk family papers preserved at Ethie House. His Lordship also afforded me much valuable information regarding his own distinguished line of the Carnegie family.

Mr. Fletcher of Salton has allowed me to examine and use many of his valuable family papers, particularly the great charter of King Malcolm the Maiden. This is not the first time that the Salton papers have been of use to the Southesk family. During the dependence of the claim to the peerage, several documents in the Salton charter-chest were of great use in making out the claim to the Southesk title. Nor is it the first time that I have had to acknowledge the liberality of Mr. Fletcher in allowing me to use his family papers for a similar work.

Next to acknowledging the courtesy of those who have aided the work with materials which have been used in it, I have to thank several friends for much kind assistance in many portions of the work. To him who is principally interested in it, the Book is indebted for several valuable contributions—particularly on heraldry,—of which 'noble science' he is so great a master. Lord Southesk has guided, with much care, all the illustrations relating to the armorial bearings of his family. In the title-page, which is entirely his own designing, he has been pleased to indicate the authorship in larger characters than I should have ventured to use. But for some portions of the work, his own name might appropriately have been placed there conjointly with that of the more responsible author,

WILLIAM FRASER.

Edinburgh, 32, Castle Street,
August 1, 1867.

INTRODUCTION.

In this Introduction to the following Memoirs of the Family of Carnegie, Earls of Southesk, our object is to give some account of the lands which form the territorial Earldom of Southesk, or, as it is sometimes called, the Kinnaird estate, and of other lands which the family of Carnegie of Southesk formerly possessed, but which have now passed into the hands of others; as well as of the estates possessed by collateral branches of the family. The estates of Kinnaird, as now constituted, may be divided into three sections,—the central, the southern, and the northern.

The central division consists chiefly of the lands and baronies of Kinnaird, part of Carcary, Farnell, Cuikston, Powis, Old Montrose, and others; also of the great Moor or Forest of Monrommon. This division extends from the basin of Montrose on the east, to the western extremity of Monrommon Moor on the west, and is in length eight miles.

The second or southern division of the Kinnaird estates comprehends the lands of Baldovie, Fullerton, Bonnyton, part of Carcary, Upper and Lower Fithie, Bolshan, Kinnell, and others. This division extends from the lands of Baldovie on the east to the parish of Kinnell on the south-west, and is in length seven and a half miles. To the east of this division are the lands and castle of Craig, and to the south-west is the old castle of Braikie, all which at one time belonged to the Carnegie family.

The third and northern division of the Kinnaird estates comprises the portion north of the river Southesk, and extends from the farm of Balwyllo, part of the estate of Craigo, on the east, to Brechin on the west. It is about three miles in length, and the same in breadth. In this division

are included the farms of Arrat, Arratsmill, Caldcotes, Balbirnie Mill, Kincraig, Windy Edge, Leuchland, Leightonhill, Drummachlie, Pitforthie, Adicat, and also Caldhame of Brechin. The farm of Maisondieu, about a mile to the north-west of Brechin, is the only detached portion of the property.

To enter into a description of all the lands now mentioned would exceed the limits of this Introduction. It is only to the principal that we can here direct our attention.

Much of the history of the Carnegie family is associated not only with these estates, which now belong to the Earl of Southesk, but with various other lands formerly possessed by the family, which have become the property of others. It cannot, therefore, be out of place to give an account of some of them. The principal are Leuchars and Colluthic in Fife, Craig Castle, the barony of Fern and the castle of Vayne in Angus, and the barony of Pittarrow in the Mearns.

The principal of the estates and castles possessed by collateral branches of the family which may deserve some notice, are Ethie and Redcastle, Boysack, Balnamoon, and Lour; to which might be added Tarric or Seaton, and Stronvar, but these are described in the course of the work.

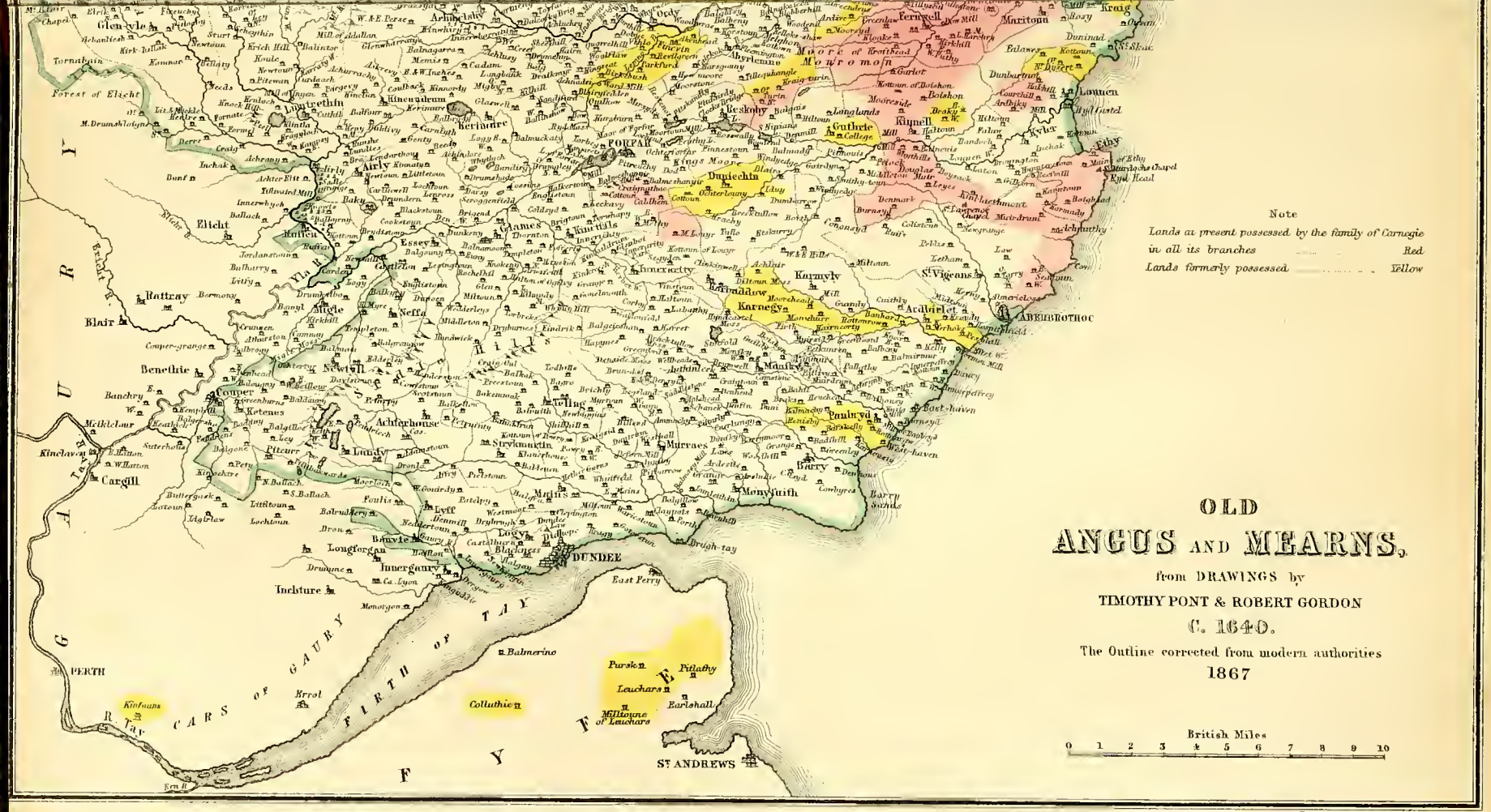
Though the lands of Carnegie are no longer the property of the family who form the subject of the present work, yet as they were amongst their earliest possessions, and as the family took their surname from them, it may be proper to begin with some notices of these lands, and with some observations on the origin of the name.

THE BARONY OF CARNEGIE.

The lands and barony of Carnegie, from which the surname of Carnegie is derived, are situated in the shire of Forfar, and lie about midway between Carmylie and Panmure.

Though the Carnegies took their designation from this estate, it was not their first territorial possession in the county. For a considerable


ABERDEEN
Obyn Kirkbuyds
Birs K.
Forest of the Birs
Glen Tanar
Glen Mark
Glen Esk
Glen Prosyan
Glen Ogil
Glen Effock
Glen Winick
Lochly
Clova
Fern
Petercoutyr
Dalmoak
Marie coutyr
Banchorie
Strachan
Fetteresso
STONE-HYVE
Glenbervy
Fordun
Arbuthnot
Kinneff
Bervy
Fettyrcairn
Laurencekirk
Garvock
Benholm
Mary Kirk
Cyres
North Esk R.
Logy
Strakathro
Edzell
Lochlee
Lochlee
Dalbreck
Dalbreck
Brechin
Karrestoun
MONTROSE
R. Dee
R. Dee
R. Dee


Note
Lands at present possessed by the family of Carnegie in all its branches ..... Red
Lands formerly possessed ..... Yellow
OLD
ANGUS AND MEARNS,
from DRAWINGS by
TIMOTHY PONT & ROBERT GORDON
C. 1640.
The Outline corrected from modern authorities
1867
British Miles
0 1 2 3 4 5 6 7 8 9 10
Drawn & Engraved by W.H. Lizars, Edin.
Forest of Elrick
Tornahain
Lintrethin
Kinnaldum
Kennore
Forfar
Dunichin
Glamis
Kirriemuir
Essey
Eliche
Rattray
Blair
Benethic
Couper
Achterhouse
Lundy
Cargill
Pitcurr
Inchture
Longforgan
Innergowry
DUNDEE
East Perry
Monyfuith
Barry
Panbryd
Murraes
Strykmaklin
Arbeling
Neffa
Newtill
Airly
Baky
Inchak
Achery
Ardlerlet
ABERBROTHOC
Kirmyly
Karnegy
Maufry
Kinnell
Guthrie
Beskohy
Ferrywell
Maritoun
Monmouth
Moore of Kettlebeid
Lownen
Kyber
Eaby
Kinclaven
Kinfauns
PERTH
Rivers TAY
Firth of TAY
Carse of GAURY
Balmerino
Pursken
Pitlathy
Leuchars
Earlshall
Colluthie
Millhorne of Leuchars
ST ANDREWS

period before it came into their hands, they bore the name of Balinhard, assumed from lands belonging to them in the parish of Arbirlot, near Arbroath.

The early history of the family is involved in much obscurity, owing, in a great measure, to the destruction of the charters and records at Kinnaird, when the house was burnt in the year 1452.[1]

Sufficient evidence, however, has been preserved, in a charter by King David II.—without date, but probably granted in 1358,—confirming a donation made by the then deceased Walter Maule, to John de Balinhard —afterwards de Carnegie—of the lands of Carnegie, to prove that four generations of the family bore the surname of Balinhard. An abstract of this document is given in the notice of the Balinhards of that ilk.[2]

In the county of Forfar there are, at least, three places of the name of Balinhard, besides another called Balindarg, perhaps a variation of the same compound word, 'Baile-an-aird,' town or village on the height. One of these is Balinhard, or Bonhard, in Arbirlot parish, as already stated; another forms part of the estate of Clova, belonging to Donald Ogilvy, Esq.; and the third, known as Bonhard, lies in Edzell parish.[3] Balindarg is situated in the parish of Kirriemuir.[4]

Sir Jocelyne de Balendard, who lived towards the end of the twelfth

[1] P. 18, *infra*.

[2] P. 1, *infra*.

[3] The farms of Wester and Easter Bonhard, in the parish of Arbirlot, are entered in the Valuation Roll of the county of Forfar for the year 1862-63, as let for the respective rents of £130 and £220 (Roll, p. 5). In the same Roll, the Mains of Edzell and Bonhard are entered as let at the yearly rent of £1050 (*Ibid.* p. 39). The Earl of Dalhousie is the proprietor of all these farms. The farms of East and West Bonhard, belonging to the Honourable Donald Ogilvy, are entered in the same Roll as let for a rent of £86 (*Ibid.* p. 134).

[4] John Carnegie, Provost of Forfar, who is said by Nisbet in his work on Heraldry (vol. ii. Appendix, p. 242) to be descended from Carnegie of Gallery, purchased the lands of Balindarg from Walter Lord Torphichen. His grandson, Robert Carnegie of Balindarg, had his coat-of-arms matriculated in the Registers of the Lyon Office. In an escrol below the shield, he had the motto 'Balenherd,' which was probably granted to him in the belief that he was proprietor of the lands of Balinhard, which belonged to the ancestors of the Carnegies.

In the Valuation Roll of Forfarshire for 1862-63, the north and west Mains of Balindarg are entered at the yearly rents of £311 and £265 respectively. They are in the parish of Kirriemuir, and belong to the Earl of Strathmore (Valuation Roll, p. 179). —Appendix, p. 479, No. 28.

century and beginning of the thirteenth, has been sometimes supposed to have belonged to the family of de Balinhard, the ancestors of the Carnegies; and this idea is supported by the fact that in the three existing notices of Sir Jocelyne he is twice found engaged in perambulations of lands in the vicinity of Arbroath, and is associated with Nicholas de Inverpeffer, whose estate adjoined that of Balinhard, in Arbirlot parish.[1] These considerations, however, are not sufficient to warrant the belief that Sir Jocelyne was father to the first John de Balinhard, though the dates would well admit of such a supposition.

The lands of Carnegie are situated in the parish of Carmylie, and the estate comprised the following eight farms:—Carnegie proper; Hillhead of Carnegie, including Glaster;[2] Curleys, to the west of Hillhead; Birns, on the west side of Delty moss; East Skichen and West Skichen, southward from Birns; Mount Quhir, east of Carnegie; and the small holdings of Muirheads.[3]

The whole of this district, a part of the great Sidlaw range, is elevated several hundred feet above the level of the not distant German Ocean, towards which it gradually slopes, finally merging into the flats which stretch southwards along the coast from Arbroath to the Firth of Tay.

This extensive upland presents a surface broken into numerous rounded elevations, some resembling tumuli, some almost worthy the name of hills. It is now entirely under cultivation, except where a few patches of heather and moss bespeak its early state—barren moor, interspersed with swamps and inconsiderable lochs.

Whether from its situation, as commanding the eastern route from

[1] Liber S. Thome de Aberbrothoc, pars i. p. 197; Registrum Prioratus Sancti Andree, p. 271; Liber Sancte Marie de Balmerinoch, pp. 9-60.

[2] On Glaster muir a market called Glaster Fair was held annually. When the Panmure family exchanged with the Southesk family the lands of Glaster for the lands of Meikle Carcary, the Fair of Glaster was removed to a part of Monrommon Moor, where it is now held, and this part of the moor has got the name of Glaster Law.

[3] In the Valuation Roll for Forfarshire, for the year 1862-63, the various divisions of Carnegie are entered as let to tenants at the yearly rents following:—Carnegie, £282; Curleys and Crofts, £310; Delty Moss, £150; Skichens, East and West, £150 and £160; Mount Quhir, £45; Muirheads, etc., £171 (Roll, p. 18).

Dundee to Brechin and the north,—a line adopted by the Romans for one of their military roads;—or as at once watching and guarding the neighbouring coast, which, with its sandy beaches, offered many points of disembarkation to rovers of the sea; or for unknown reasons connected with the settlement of particular tribes; the district near Carnegie bears the most numerous and remarkable traces of its occupation by the early races of Scotland, as a stronghold, as a place of entombment, and probably as a site for structures consecrated to religious worship.

Perhaps in no part of Scotland does there exist such a cluster of local names beginning with the syllable 'car;' a prefix which, with its varying forms, 'cathair,' 'cacr,' and 'ker,' is of constant occurrence where Celtic races have chiefly prevailed, as in Ireland, Wales, Cornwall, and Brittany, not to speak of lands far more remote. These 'cars' of eastern Forfarshire extend along an irregular curve of some twelve miles, based at the southern extremity on Car-noustie, near the sea; thence running inland, by Car-logie and Car-lungie, till it reaches the range which bounds the great hollow near Fotheringham House, and forms the watershed of the streams flowing seawards between Arbroath and Broughty Ferry; then passing along this range, in a northerly direction, by Car-rot, and the Haer Cairn, till it arrives at Car-buddo; thence following an easterly course to Carnegie, and ending on the bare and stony heights of Car-mylie.

Besides these fortresses, some of which are still traceable, every commanding position seems to have been the site of defensive works; such as Dun-head, in the den of Guynd; Hynd Castle, in Monikie parish; and the remarkable vitrified fort on the hill of Laws, in the parish of Monifieth; while, to take a rather wider range, such names as Dun-barrow, Dun-troon, Dun-dee, testify, in their prefix 'dun,' to the former existence of strongholds in these localities.

Remains of antiquity connected with sepulchral and religious rites are nearly equally abundant in the same district. Not to travel beyond the parish of Carnylie, we find that on the hill of that name is a tumulus called the Fairy Hillock; that at Boath-hill there were, till recently, the remains of a circular temple of upright stones; while on the farm of Skichen, close to Carnegie, stood a sepulchral cairn, covering one-fourth of an acre, and

from which hundreds of cartloads of stones were taken, besides several stone coffins containing urns and human bones.[1]

Various etymologies have been suggested for the name of Carnegie, but, as might be supposed, without any satisfactory result. When it is considered that such names of localities were originally conferred in times of remote antiquity; that the words from which they are compounded are frequently obsolete or corrupt, if Gaelic, and often belong to some other ancient dialect, or even language; that, reasoning by analogy, such names must constantly be formed from the appellations of forgotten deities or mystic objects of veneration, and sometimes taken from the names or titles of priests and warriors; that, moreover, the Celtic tongues remarkably abound in terms of similar sound, but utterly diverse meaning; it becomes evident that all derivations or interpretations of such obscure compounds as that before us cannot be otherwise than doubtful, and may easily be false and ridiculous.

The word 'Carnegie' is also beset with difficulties peculiar to itself. Is the first syllable,—'car,' a fort; or 'carn,' a monumental pile? Probably the former, but nearly as probably the latter; either would suit the local conditions. If 'car,'—does the next syllable begin with N, or is this letter a mere sign of the possessive case? Is the last syllable—'ic'—an abbreviation; or a mere terminational sound, added from local habit, or for some arbitrary reason? At all events, considering the great prevalence of this final 'ic' or 'y' in Scotland, and especially in Angus, and the carelessness with which such terminations are often omitted or even varied, as shown in the constant changes of 'ach' or 'ich' into 'o' or 'ie,' it probably had no important significance, and could never have been an emphatic syllable in pronunciation.[2]

George Martine of Clermont, in the county of Fife, who about the year 1700 wrote an account of the Carnegie family, is puzzled with the name,

[1] Statistical Account of Forfarshire, 1843, p. 357.

[2] In Cornwall there is a place named Kenegy. In Angus, a hill near Clova is called Agie or Eygy; and at the head of Glenisla is the hill of Monega. To hazard a conjecture, the word Carnegie may be only a form of the Celtic word Carnac or Karnak, which occurs in Brittany, Ireland, and elsewhere, as a surname, or as a local name associated with stone structures of unknown antiquity.

the meaning of which, he says, 'is certainly ill to find.'[1] After disposing of a theory, which makes the word half Celtic and half English, he propounds another, which represents it as half French and half Greek; and he then proceeds to state that the predecessors of the Carnegies came from Hungary, where he believed that there existed a family of distinction called Carnaske or Carnasky, bearing the same coat-armorial as their Scottish relatives. The direct ancestor of the Carnegies—a member of this ancient Hungarian house—arrived in Scotland, it would appear, during the reign of King Malcolm Canmore; and subsequently one of the family obtained from King William the Lion a grant of the lands of Phesdo and Pitnamoon, in the Mearns, besides being appointed governor of the castle of Kincardine.

These notions have obtained some currency; but they are clearly refuted by the charter from Walter de Maule, afterwards referred to,[2] which proves that for four generations previous to 1358 the surname of the family was Balinhard, not Carnegie; and that the latter designation was not brought from Hungary, but derived from a locality in Forfarshire.

Tracing the Balinhards and Carnegies further back, it has been supposed that they were sprung from the ancient family of Ramsay, who in the early part of the thirteenth century, when the first recorded de Balinhard flourished in Forfarshire, were large proprietors of lands in that county, as well as in the shires of Lothian, Fife, Perth, and Kincardine, and held the hereditary office of Sheriff of Angus.

This theory is noticed in a manuscript work, apparently holograph, of Nisbet the herald, who states that 'the Carnegies and Ramsays are said to be descended of one stock, because they both carry eagles [on their shields]. The Carnegies have their name from their lands, and were of old Carnegies of that ilk, which becoming extinct, Carnegie of Kinnaird, in Angus, being a cadet of Carnegie of that ilk, became chief.'[3]

But though similarity of arms is sometimes a clue which assists in tracing families to an original stock, yet this of itself, in the absence of

[1] Macfarlane's Genealogical Collections in the Advocates' Library.

[2] *Vide* p. 1.

[3] Original MS. volume, 12mo, on the Armorial Bearings of the Nobility of Scotland and England, in the Library of the Antiquarian Museum, Edinburgh.

other evidence, is far too slight a foundation to build upon. In the present instance, the Ramsays have always borne their eagle sable, while that of the Carnegies has invariably been azure; and, not to go beyond Scotland in seeking analogous cases, the Byckertouns, in Fife, bore—argent, an eagle, gules; the Lord of the Isles—or, an eagle, gules; one family at least of the Macintyres—or, an eagle, gules; and the Lindsays, originally, gules, an eagle, or; yet to assert the connexion of all these families with one another, and with the Ramsays and Carnegies, would be palpably erroneous.

The Castle of Carnegie stood about a hundred yards from the site of the present farmhouse. There are still some moss-grown walls and enclosures, and two adjoining fields bear the names of the North and South Orchard; but few indeed are the remains which bespeak even the existence of the old fortalice, and none which afford means to judge of its size or of its defensive powers.

The nearest neighbours of the Carnegies were the Maules of Panmure, whose castle is situated between two and three miles to the south of Carnegie. The Strachans of Carmylie had their castle on the north, at about the same distance, while to the east the families of Ramsay and Boece were soon established at Panbride.[1] Of these four families, who were neighbours at this early period, only those of Maule and Carnegie now remain. The Strachans of Carmylie have long since disappeared, and their possessions help to swell the great estates of Panmure. The Ramsays and Boeces

[1] In the Biography of Hector Boece, the historian, Panbride is said to have been acquired by his grandfather, Hugh Boece, for services rendered by him to King David II. at the battle of Dupplin. But it is doubtful whether any part of Panbride belonged to the Boece family at so early a date. In 1411, Thomas Meaden was proprietor of Panbride. He resigned these lands to Alexander first Earl of Huntly, who feued part of them to John Forbes of Brux. Forbes granted a charter to Alexander Boyes of a fourth part of the Seatoun of Panbride, dated 20th October 1492. This is the first appearance of the family of Boece as owners of part of Panbride. A new charter was granted by Robert Lord Crichton of Sanquhar, who acquired the barony of Panbride, to Alexander Boyes and Katherine Guild, his spouse, dated 27th February 1507. Mr. David Boyes succeeded Alexander Boyes in 1543, and John Boyes succeeded his brother Mr. David Boyes in 1546. Alexander Boyes and Helen Lindsay granted a reversion of the eighth part of the Kirktoun of Panbride in favour of Mr. David Carnegie, dated 24th February 1554.—[Inventory of Panbride Writs, dated 1683, at Kinnaird.]

of Panbride have also disappeared; and Panbride, after being acquired by Sir Robert Carnegie of Kinnaird, and held by him and his son for some time, was subsequently conveyed by Sir James Carnegie to the Earl of Panmure, as explained in the Memoir of Sir James.[1]

The lands of Carnegie from the time of their being first acquired by John de Balinhard, the ancestor of the Carnegies, in the year 1358, continued to form part of the possessions of the family, either in the direct or collateral lines, till they were forfeited in the year 1716. The history of the family is, however, less associated with the lands from which their name is derived than with other lands and baronies which they successively acquired at later periods. The direct male line of the Carnegies of Carnegie failed about the year 1530, when the lands became the property of a collateral branch. On the failure of that branch, about the end of the sixteenth century, the lands again reverted to the Carnegies of Kinnaird, then the main line.

Three years after the restoration of Charles II., James the second Earl of Southesk obtained from His Majesty a charter, dated 3d August 1663, by which the lands of Carnegie and many other lands were erected into a free barony, to be called the BARONY OF CARNEGIE in all time coming, the manor-place of Carnegie to be the principal messuage, and one sasine taken thereat to be sufficient for the whole lands. The following lands, besides those of Carnegie, were included in the barony of that name:—Straith in Kincardine; and Garlat, Mainsbank, Kembraid, Braikie, Bolishan, Craigs, Aucharranie, Cuikston, Blackstoun, Drumslogie, Blacklonnan, and several others, all in the shire of Forfar.[2]

After the lands of Carnegie were forfeited in 1716, they remained for a considerable number of years in other hands; but in the year 1763 they were purchased by Sir James Carnegie of Pittarrow, the heir-male of the family. He, however, retained them only for a very short time, having almost immediately exchanged them with the Earl of Panmure for other lands adjacent to the principal residence of Kinnaird. From thenceforth the Carnegie family have had no connection with the lands of Carnegie except in name.

[1] See p. 210, *infra*.

[2] Original Precept on Charter of Erection at Kinnaird.

THE BARONY OF KINNAIRD.

Of the central division of the Southesk estates above mentioned, the barony of Kinnaird is the most prominent and the most important.

Duthac of Carnegie, second son of John of Carnegie, who held the lands of Carnegie, as before mentioned, was the first of that family who possessed Kinnaird and Carcary. In the year 1401, he acquired an eighteenth part of the lands of Kinnaird; and in the year 1409, the half of the same lands which belonged to Mariota of Kinnaird. The lands of Kinnaird and Little Carcary were first erected into the barony of Kinnaird by King James V., who, by a charter under the Great Seal, dated 17th July 1542, granted to Robert Carnegie of Kinnaird, on his own resignation, the lands of Kinnaird and Little Carcary, with the manor of Kinnaird, and the salmon-fishing of the same upon the water of Southesk, and commonty of the Moor of Monrommon, with the exceptions of an eighth part of Kinnaird, and an eighth part and a sixth of Little Carcary; and for the good, faithful, and gratuitous services rendered to him by Robert Carnegie, united, created, erected, and incorporated these lands into one whole and free barony, to be called the Barony of Kinnaird in all time coming, and ordained that the manor of Kinnaird then built, or to be built, should be the principal messuage, and that one sasine taken at the said messuage should be sufficient for the whole of the lands. The reddendo is a silver penny to be paid upon the said lands of Kinnaird, yearly if asked, and also the keeping of the King's ale cellar within the shire of Forfar, when he should happen to reside there, the grantee and his heirs being lawfully warned.[1]

The most of the fractional portions of Kinnaird and Little Carcary excepted in this charter, were soon after acquired by Robert Carnegie from

[1] Original Charter at Kinnaird. In the Inquest relative to the burning of the mansion-house of Kinnaird in 1452, it is stated that the lands of Kinnaird and Little Carcary, then belonging to Walter Carnegie, lay in the Thanedom of 'Auld Munros' (Old Montrose). This is the only instance of the mention of that Thanedom. It is not included in the list of Thanedoms in Angus given by Mr. Jervise in his Memorials of Angus, pp. 10, 11.

the family of Wood of Craig and Bonnyton. On 4th April 1547, David Wood of Craig granted to him a charter of one-fourth part of the one-eighth part of the lands of Little Carcary and Kinnaird, and of two-sixth parts of a one-eighth part of the same lands; and on the same date Roger Wood, son and heir-apparent of David Wood of Craig, granted also to Robert Carnegie of Kinnaird a charter of one-sixth part of the one-eighth part of the lands of Little Carcary. These two charters were confirmed by Queen Mary by a charter under the Great Seal, dated 5th May 1547. Robert Carnegie had previously acquired one-fourth part of the one-eighth part of the lands of Kinnaird and Little Carcary, a charter to that effect having been granted to him by William Wood of Bonnyton in the year 1535.

In consequence of these and other additions to the barony of Kinnaird, a new erection of the barony was made by Queen Mary, by a charter under the Great Seal, dated 25th March 1565. By this charter she granted to John Carnegie, son and heir-apparent of her councillor, Sir Robert Carnegie of Kinnaird, Knight, the lands of Kinnaird, with the manor, fortalice, gardens, orchards, piece of haugh land called Balnamoon, and sundry fishings of the same upon the water of Southesk, the lands of Little Carcary, with commonty in the Moor of Monrommon; and for the good, faithful, and gratuitous services of Sir Robert Carnegie, as well in France and England as within her own kingdom, in negotiations for her Majesty and for the honour and common good of the kingdom, she of new made, created, erected, united, and incorporated the said lands into one whole and free barony, to be called the Barony of Kinnaird in all time coming, and ordained that the manor of Kinnaird then built, or to be built, should be the principal messuage, and that one sasine taken at the said messuage should be sufficient for the whole of the lands. The barony was to be held by John Carnegie, and the heirs-male of his body; whom failing, by David Carnegie of Panbride, his brother-german, and the heirs-male of his body; whom failing, by John, Robert, James, Hercules, and William Carnegies, the third, fourth, fifth, sixth, and seventh lawful sons of the said Sir Robert Carnegie, and the heirs-male of their bodies respectively; whom all failing, by the nearest and lawful heirs-male whom-

soever of the said John Carnegie, senior, bearing the name and arms of Carnegie. The reddendo is the same as in the previous charter of erection by King James V.[1]

Another and third erection of the barony of Kinnaird was made by King James VI. by a charter under the Great Seal, dated 14th October 1591. It proceeds on the resignation of Sir John Carnegie of Kinnaird, Knight, and it regrants to him in liferent, and to David Carnegie of Colluthie, his brother-german, and the heirs-male of his body, whom failing, to the nearest heirs-male whomsoever of Sir John, bearing the name and arms of Carnegie, the lands of Kinnaird, Heughland, called Balnamoon, Little Carcary, Fithie, and others, which are thereby of new erected into the BARONY OF KINNAIRD, of which the manor of Kinnaird is declared the principal messuage; to be held of the King for payment of a silver penny Scots, if asked, and for keeping the King's ale cellar within the shire of Forfar, whenever his Majesty or his successors should happen to reside there.[2]

On the resignation of James second Earl of Southesk, the barony of Kinnaird, and many other baronies and lands which had been acquired by him, were, by a charter granted by King Charles II. in favour of Robert Lord Carnegie and Lady Anna Hamilton, his spouse, dated 8th March 1667, created and incorporated into one whole and free earldom and lordship, to be called the EARLDOM OF SOUTHESK and LORDSHIP OF CARNEGIE in all time coming; the tower, fortalice, and manor-place of Kinnaird were declared to be the principal messuage; and one sasine to be taken thereat was to be sufficient infeftment for the whole earldom and lordship. The reddendo consisted of certain payments specified for the several lands, the keeping of the King's ale cellar being omitted apparently for the first time.[3]

[1] Original Charter at Kinnaird.

[2] Original Charter, *ibid.*

[3] Original Charter at Kinnaird. The lands comprehended in the earldom of Southesk are enumerated in the printed retour of the service of Charles fourth Earl of Southesk, as heir to his father, Earl Robert, and also in the retour of the service of James Earl of Southesk, as heir to his father, Earl Charles. These retours were expede on 8th May 1688 and 14th March 1700, respectively.—[Inquis. Retor. Abbrev. vol. i., Forfar, Nos. 512 and 557.]

THE CASTLE OF KINNAIRD.

From the time of the first acquisition of the lands of Kinnaird by the Carnegie family to the present day, the castle of Kinnaird has been their principal residence. In the course of the four centuries and a half during which it has stood, this castle has necessarily undergone many alterations. The first instance in which we find the House of Kinnaird mentioned is in 1409, in a charter in which Duthac de Carnegie obtains a grant and confirmation of half the town of Kinnaird, upon the resignation thereof in his favour by Mariota de Kinnaird, supposed to have married him, who, in resigning it, reserves to herself a 'house called the Chemyse,' with an adjcining acre of land.[1] After the battle of Brechin in 1452, this house was burned to the ground by the Earl of Crawford, in revenge for the part which Walter de Carnegie, son of Duthac de Carnegie, and the then proprietor of Kinnaird, took in fighting in support of the standard of his sovereign, King James II., in that sanguinary engagement. A new house, it may be conjectured, would be built by Walter de Carnegie. According to tradition, the original site of Mariota's heritage was a few yards from the south-east corner of the present house, at a point where the gravel bank, upon which its foundations are placed, some fifty feet above an alluvial plain, forms a promontory easily defensible against ancient weapons of war, if the connecting neck were cut by a moat of no great length. Whether this were the case or not, there is reason to believe that the house which succeeded the old tower burned by Crawford was placed by Walter de Carnegie upon the present site, parts of the existing building giving evidence, by extreme thickness of wall and other peculiarities, of an antiquity too considerable to be referred to any much later period. This is all that can now be said regarding the erection of the earlier house of Kinnaird. It is referred to in the testimonial of sasine, dated in 1479, in favour of John Carnegie, the third laird of Kinnaird, who was the son of Walter de Carnegie.[2]

The mansion-house of Kinnaird remained, it is probable, without any

[1] *Vide* p. 10, *infra*.

[2] *Vide* p. 20, *infra*.

material alteration till the time of Sir Robert Carnegie, fifth laird, who greatly added to its size, as appears from the contract between him and the builders, John Hutoun and William Welsche, dated at Kinnaird, 7th November 1555 (a short time before he had received the honour of knighthood), which is still preserved. By this contract the builders engaged to employ six masons regularly at the work till the new buildings should be completed. At the north end of the then existing house was to be erected a new house of forty-four feet in length and twenty-two feet in breadth, measured within the walls, having a circular turret upon the north-west corner eight feet in height, with a passage therein three feet broad, reaching either by 'nowellis' or steps, from the ground to the top of the vault. A jame house or projecting wing, twenty-six feet in length, was also to be built east from this new house, having a great brace in the east end thereof from wall to wall, with 'ogeouris' of aislair and two large hewen windows. Through the north wall of this projecting wing, a hewen gutter communicating with the kitchen, was to pass, for sanitary purposes. Two hewen pends were to be made from side wall to side wall, above the 'ogeouris' of the brace, with a square winding stair of thirteen feet, having hewen 'nowellis' or steps. Three vaults were to be made across the new house, upon the parpane or partition wall. The pends of all the vaults in the new house, projecting wing, and circular turret, were to be broached. They were to be made of the same height as the vaults of the house already built, with the exception of the vault of the projecting wing, which was to be two feet and a half higher. All the side and gable walls were to be raised as high as the top of the key-stones of the vaults. A large hewen window was to be made in the west end of the middle vault in the new house, and all the vaults were to have hewen doors. The kitchen was to have a hewen dressing window, and hewen pends were to be made above all the doors and windows. The length and breadth of all the houses were to be measured by the Laird's own foot, and by no other foot measure. All the walls were to be four feet thick, with the exception of the west half of the north gable of the new house, which was to be six feet thick. Robert Carnegie bound himself to furnish lime, sand, and stones, and to place them within sixty feet of the work. He farther engaged to pay the builders 110 merks, with

2 bolls of meal, 2 bolls of malt, and 2 stones of cheese, at the times specified, that is to say, 20 merks when the masons began to hew, 20 merks on 15th March, when they began to lay the foundation, 20 merks when the centres were set, 20 merks when the vaults were keyed, and £20 in full payment when the work was completed. The meal, malt, and cheese were to be given when the masons began to lay the foundation.

David first Earl of Southesk, the grandson of Sir Robert Carnegie, is understood to have considerably enlarged the Castle. In the time of Robert the third Earl, it is described by John Ochterlony of Gwynd, in his account of the shire of Forfar, written about the year 1685, as 'a 'great house,' having 'exeellent gardens, parks with fallow deer, orchards, 'hay meadows, wherein are extraordinare quantities of hay, very much 'planting, ane exeellent breed of horse, cattle, and sheep, extraordinare 'good land: without competition the finest plaee taken altogether in the 'shire.' Ochterlony adds, that the family had been honoured by having his Majesty Charles II., his father, Charles I., and his grandfather James VI., at their house of Kinnaird.[1]

For several generations after the time of the first Earl of Southesk, the family dwelling-plaee would seem to have satisfied its possessors, who, indeed, passed much of their time at Leuehars, in Fife. Charles, the fourth Earl, however, after devoting himself to planting and improving the grounds of Kinnaird, determined to enlarge and renovate the mansion also; and fortunately the designs submitted to him for that purpose, in 1698, not only acquaint us with his intentions, but give most preeise details of the arrangement and proportions of the old house. Earl Charles's death in eourse of the next year, the long minority which followed, the troublous times of the '15, the forfeiture of the estate, and the exile and attainder of James fifth Earl, preeluded the execution of the plans of 1698. So mueh, indeed, was the house neglected under such circumstanees, that in a report by the Barons of Exchequer to the Lords of the Treasury, dated 23d January 1718, it is stated that it appeared to the reporters by affidavit that the house was in a 'deeaying condition,' that upwards of £300 sterling would be required to put it in repair, and that the yearly sum of £30 would be

[1] The Spottiswoode Miscellany, vol. i. p. 340.

necessary to keep it and the enclosures in good order. The Barons recommended that his Majesty should grant the house as a residence to Margaret Countess of Southesk, the wife of the fifth Earl, in compliance with a petition which she had presented to that effect.[1]

From this date till the year 1763, the mansion-house remained chiefly in the possession of the tenants, and little appears to have been done to keep it in proper repair. In that year Sir James Carnegie purchased the Southesk estates, but he had not completed his possession to them when he died. He had, therefore, no opportunity of making improvements on the baronial mansion. But even had his life been prolonged, he had too heavy a task in redeeming the family estates and restoring the family influence, to have left him either time or money for indulging in architectural luxuries. Sir David, his son, however, a man of refined tastes matured by study and travel, found himself more happily situated as to means and leisure. In 1779, fourteen years after he had inherited Kinnaird, but when still a minor, he refers to the family residence, in one of his poetical addresses to a relative, as

'The uncouth mansion of this ancient place.'[2]

Dissatisfied with the somewhat dilapidated ancestral house, he began, about 1790, under the auspices of Mr. Playfair, extensive alterations, which completely changed its aspect, and greatly increased its size, making it perhaps the largest mansion-house in the county.

The House of Kinnaird, according to the plans drawn in 1698, which, as we have seen, must have necessarily formed the groundwork for Sir David's, consisted of a very plain main building, occupying three sides of a square, three storied, 100 feet long on the west front, which was flanked by round turrets, and 60 feet long on the north and south: added to this was a lower wing, forming a slightly recessed prolongation of the west front, which, with this addition, showed a total length of about 152 feet.

Leaving the principal square to a great extent untouched, but incorpo-

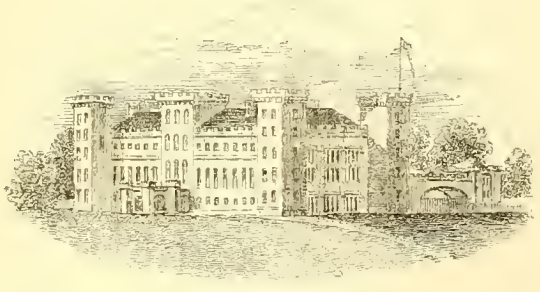
[1] Report among Papers relating to the forfeited estate of Southesk, in the General Register House, Edinburgh.

[2] *Vide* p. 222, *infra*.

rating it with his new house, Sir David seems to have almost demolished the lower range, raising in its stead an exact double of the existing west front. This he flanked with large square towers, placing also another tower in the centre, and one at each end of the north and south main fronts; and he completed the square by a range of offices, coach-houses, and stables, thus lengthening the north and south sides, and forming another front on the east.

Kinnaird now appeared as a nearly square castellated mass, almost of the size of the present house. Five large battlemented flat-roofed towers, each 60 feet in height, increased the importance of the elevation, and, except to an observing eye, masked its imperfections of tameness, monotony, and meagreness; while the extreme roughness of its masonry was successfully disguised with a coating of stucco ruled in squares to represent symmetrical ashlar-work. Internally the house was better in style, and many of the rooms evinced an accurate knowledge of proportion, and acquaintance with classical detail of the delicate but over-attenuated fashion then in favour; but it could not be praised as a whole, being of very unequal character, and in many respects inconveniently arranged.

A sketch of the Castle of Kinnaird as re-built by Sir David is annexed.



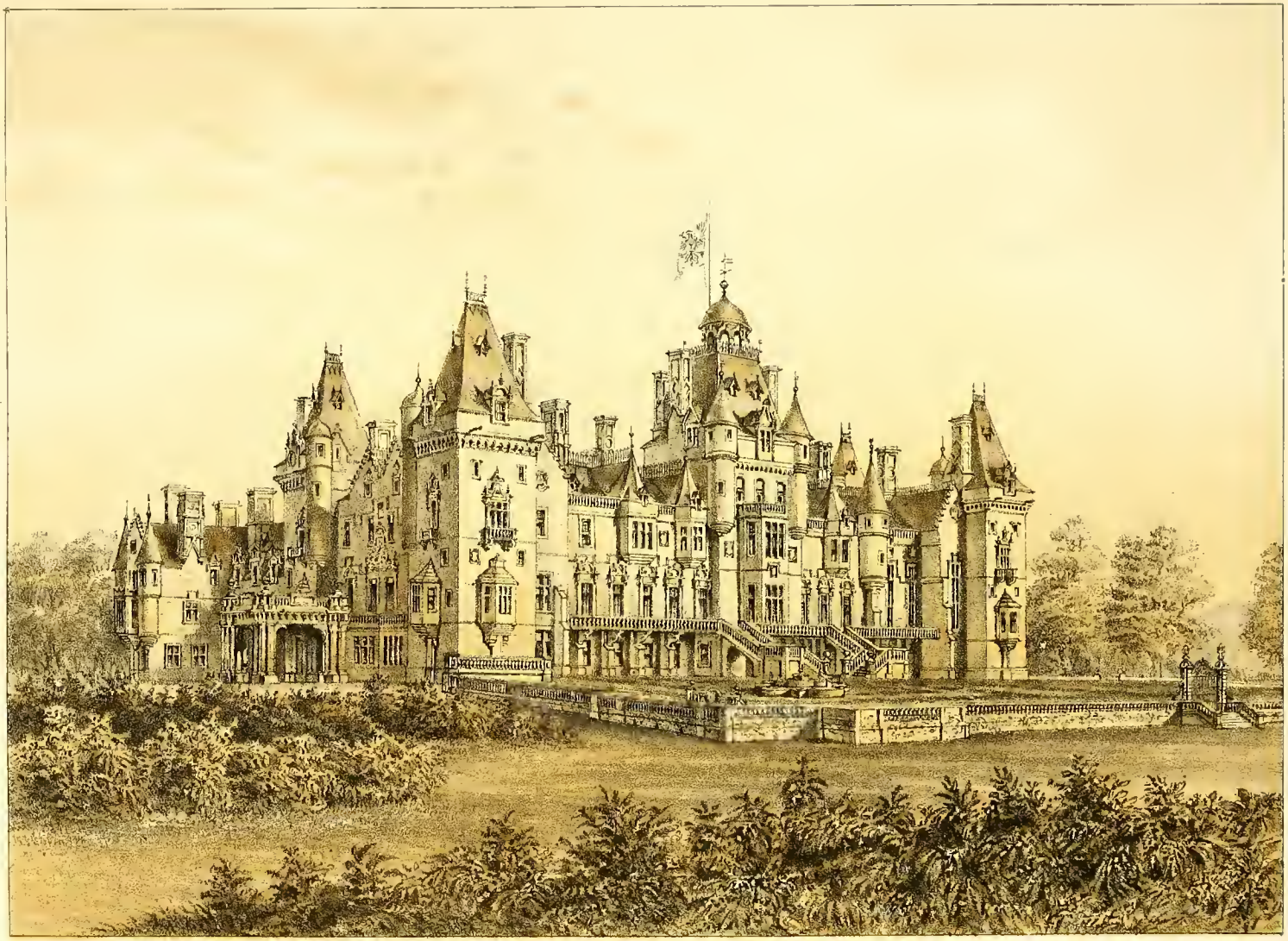
For fully half a century the castle remained unchanged, with the exception of small and unimportant additions; but a few years after the accession of the present Earl, it was destined to undergo an entire transformation.

Great alterations on the park and grounds had for some time been in

progress; when his Lordship, desirous in all respects to improve the ancient home of his family, resolved that the house itself should be thoroughly renovated and remodelled both within and without. Plans were accordingly obtained from Mr. Bryce of Edinburgh; a beginning was made in 1854; and the work, carried on more or less vigorously during the intervening years, was brought to its completion in 1862.

The castle, as it now stands, forms a nearly perfect square; and very much presents the aspect of a French chateau of the olden time;—with its massive towers, capped by steep and lofty roofs crowned with gilt stars and pennoned vanes; its long stretch of balustraded balconies and terrace walls; its many windows—mullioned and plain, dormer, bay, and oriel; its quaintly carved coats-of-arms, blazoning the alliances of its owners since the days of Duthac and Mariota: a French chateau, in short, in its irregularity within bounds, in its flexible formality, in its mixture of mediæval Gothic with Italian outlines and classical detail, in its rich decoration, and specially in its prodigal display of roof, a feature so carefully concealed in the English Tudor style.

The west and principal front is 208 feet long from point to point, including the square flanking towers, which are connected by an open stonework balcony, whence a double flight of steps leads to the terrace gardens. In the centre is another tower of rather larger size, and 90 feet in height to the level of its roof platform, above which rises a round turret, surmounted by a vane, the top of which is 115 feet above the ground. The most conspicuous part of the south front is, with its flanking towers, 100 feet long; the conservatory, a tower lower and wider than the rest, and part of the offices, complete the square, which is thus exactly 200 feet in length. The length of the north front is the same, as is also its general arrangement; but between the flanking towers is the principal entrance, protected by a columned porte-cochère of elaborate design, while, instead of the conservatory and third tower, a three-storied wing forms the connecting link with the lower range of offices. The east front, also of an ornamental character, is considerably inferior in height to the rest of the building; it is mostly devoted to stables and offices, and forms one side of an open court, which occupies the central portion of the great square. The roofs are covered



KINNAIRD CASTLE, NORTH & WEST FRONTS.

with Westmoreland slates of a greenish tone, and along their ridges run iron railings of rich tracery. The four fronts of the house are entirely built in dressed square ruble-work, and of a pale pink-brown freestone quarried on the estate.

Entering from the north, the visitor, after passing through a small outer hall, finds himself in a low gallery about 80 feet in length, fitted with oak and adorned with the spoils of the chase. Towards the end of the gallery he ascends by a balustraded staircase to the first floor, and arrives at a corridor 95 feet long and 18 high, which, like the gallery beneath, is painted of a dulled vermilion, a shade brighter than the well-known Pompeian hue. Opening on this corridor is the principal suite of rooms: the dining-room 36 feet by 26, the drawing-rooms 24 and 30 feet by 24, panelled in white, blue, and gold,—all these 18 feet high; and the library, fitted in oak, 44 by 25, and 30 in height. In the dining-room hang most of the family portraits.[1] In the drawing-rooms and other parts of the house are some valuable pictures, chiefly Italian and Dutch;[2] and in the library, the corridor, and Lord Southesk's sitting-room, is a collection of 8000 volumes, many of which are of rarity and value.

The remainder of the west rooms on this floor, and all those to the north, are occupied by the family apartments and the nurseries, but at the end of the corridor, facing the south, is a bedroom which formed part of the old house, and which was certainly slept in by the Chevalier in 1715, and probably by King James VI. and the two Kings Charles, on the occasion of their recorded visits to Kinnaird.

The second floor consists entirely of bedrooms; the ground floor comprises offices and cellars, the hall and gallery already mentioned, a large billiard-room in the centre of the west front, taking the place of the former entrance hall, also a smoking-room looking southwards, near which a door opening on the terrace cuts through part of the wall of the oldest house, and displays its remarkable thickness.

Kinnaird Castle is situated some fifty feet above the adjacent valley, at the extreme end of a gravel plateau of considerable size, whose steep banks have evidently formed part of the coast line in times of remote anti-

[1] *Vide* p. 549. [2] *Vide* p. 551.

quity. Before the woods which now conceal the shape of the country were called into being, the appearance of the old fort must have well justified its name—Ceann-airde, the head of the height (or the higher head,—the headland), an appellation which it shares with several similarly situated places in other parts of Scotland.

Standing on the platform of the centre tower, a view is obtained of wide and varied expanse. To the south, indeed, the eye is stopped by the unbroken slopes of the Carcary and Bonnyton range, one extremity of which is lost in the sea beyond the tower of Craig, while the other terminates in the wooded hill of Bolshan. On the north, however, the Grampian mountains form a more distant and nobler background, and towards the front of the intervening undulations part of the city of Brechin comes into sight, but the venerable spires of the Cathedral and mysterious Round Tower are completely hidden by a screen of trees. Westwards stretch the immense woods of Monrommon Moor, once a heath-covered plain; but its flat and monotonous outline is broken by the rocky height of Turin, and the more rounded eminences of Guthrie, Dunnichen, and Lour. To the east, from the foot of the castle bank, extends a rich and level vale, along which, on the northern side, the river Southesk finds its way to the tidal lake commonly called the Basin; and bounding this estuary, on the long promontory which shuts out the German Ocean, stands the ancient city of Montrose, with its lofty well-proportioned steeple rising clear against the open sky.

Immediately before the west, and principal, front of the castle, lies the deer park, stretching in one level sweep to woods which combine with those of Monrommon Moor on the distant horizon. At this part the deer park is a mile across, but it does not maintain an equal width in its whole north and south length of more than two miles. Within its area are contained 800 acres, comprising every variety of soil, from the warm gravel of the principal plateau on which the castle stands, to the cold clay of Tilly-soil, the whinny moors of the higher ground near the North Lodge, the light and sunny slopes of Forebank, the sand of the Marquis Hill and Rume's Cross, to the peat moss, stiff clays, and alluvial mould, all which are found in the haunted Deil's Den, and characterise the other flats lying beneath the banks of the elevated table-land.



KINNAIRD CASTLE, SOUTH & WEST FRONTS.

Large woods of varying age and growth, and many young plantations, shelter herds of red and fallow deer, in number generally limited to from 50 to 70 for the former, and from 400 to 500 for the latter, which, it may be remarked, are the direct descendants of those mentioned by Ochterlony in his account of the castle already quoted. A few small ponies, originally imported from Shetland, run wild, and yearly add to their numbers; while cattle and sheep, in considerable quantity, compose the remainder of the stock. Near the Farnell lodge there is an artificial lake of twenty acres in extent, and in parts of great depth; an embankment, three hundred yards long, confines its waters, which abound in perch, pike, and other fish; and on its three islands, swans and wildfowl find a secure resting-place.

Separated from the deer park by a wire fence, are the castle and its terraces, the gardens, nursery, and other private grounds, the cow park, and a large extent of woodland, together amounting to 500 acres. The whole of this space, as well as of the deer park—1314 acres in all,—is bounded on three sides, for above four and a half miles, by a seven foot stone wall, and on the fourth side by the river Southesk,—the entire circuit being more than six miles.

Immediately outside, and to the east, of this enclosure is the home farm of the Haughs of Kinnaird, which comprises nearly 300 acres of land, for the most part of very excellent quality. In the large and recently-built steading was kept a numerous stock of the black polled cattle so much approved in the north-eastern counties, and many first prizes from the chief agricultural societies of Scotland and England found their way to Kinnaird; but towards the end of 1865, the cattle plague made one of its most unsparing visitations, and has left but few survivors of this long established and carefully developed herd.

THE PARISH OF KINNAIRD.

The lands of Kinnaird were originally situated in the parish of Brechin; but the inhabitants of these lands, as the parish church of Brechin was far distant, resorted for divine service to the adjacent church or chapel of Cuikstoun, or 'Quygstoune,' as it is called, which continued to be a separate chapel and parsonage till about the year 1598. The church or chapel of Cuikstoun stood near Rume's Cross, a mound about a mile to the south-west of the Castle of Kinnaird; and it was within half a mile, and almost due north, of the parish church of Farnell. The Rector of Cuikstoun in 1435 was Mr. Robert Wishart, and in 1452 Mr. Andrew Walter.[1] On the 19th of April 1597, Mr. John Wemyss, minister at the 'paroche kirk of Cuikstown,' was presented by King James VI. to the prebendary, called the subdeanery of the Cathedral Kirk of Brechin, with manse, glebe, etc., thereof, then vacant, and in the King's hands as patron, through the decease of Mr. Robert Carnegie, last sub-dean.[2] When David Carnegie of Colluthie succeeded his brother Sir John Carnegie in the barony of Kinnaird, to remedy the inconvenience felt by his tenants and others resident on the barony, of having to travel to the parish church of Brechin, he took steps to have the rectory of Cuikstoun erected into a separate parish. In his efforts to accomplish this object he obtained the co-operation of Alexander Campbell, Bishop of Brechin, who, with the dean and chapter, made a renunciation of the teinds and teindsheaves of the lands of Kinnaird, Balnamoon, Over Dalgetty, and Pantaskell, within the parish of Brechin, into the hands of King James VI. as patron, that the teinds might be dissolved and separated from the Bishoprick of Brechin, and incorporated with the parsonage of the parish kirk of Cuikstoun for all time coming, as the proper patrimony thereof for sufficient sustentation of a minister thereat, and that the same might be of new erected into a parsonage, to be called the parsonage of Cuikstoun.[3]

[1] Registrum Episcopatus Brechinensis, vol. i. p. 72.

[2] Certified Copy Presentation at Kinnaird.

[3] Original Instrument at Kinnaird. The year of its execution is left blank; but as it mentions David Carnegie of Kinnaird,

The chapel of Cuikstoun having by this time become 'altogether ruyn-'ous and decayit,' David Carnegie of Kinnaird built a new church, called the Kirk of Kinnaird, which stood about half a mile to the east of the former, and the same distance due west from the castle of Kinnaird. David Carnegie died before the building of the new church was completed. In his will, made on 15th April 1598, the day before his death, he ordained that his eldest son should complete the 'wark of the kirk of Kynnard, and 'provide the infeftment thairof, and do all other things' necessary thereto.

It was after this that the new parish of Kinnaird was erected. In a charter dated 16th April 1606, granted by King James VI., with the advice of the Lords of his Privy Council, to Sir David Carnegie of Kinnaird, Knight, of the lands of Cuikstoun and others, various facts connected with the erection of this new parish are narrated. It is said that the lands of Kinnaird, Balnamoon,[1] Pantaskell, Over Dalgetty, Middledrums, and Greenden, within the parish of Brechin, heritably belonging to the said Sir David, lie far distant from the parochial church of Brechin, of which the possessors, tenants and inhabitants of the said lands, are and have been parishioners from time immemorial, and that the said parishioners cannot conveniently attend the said parish church, especially in winter and when the weather is unfavourable, without great danger, so that most of them are deprived of the preaching of the Word of God and participation of the sacraments administered in the parochial church of Brechin. It is further stated that the inhabitants of the said lands, and also of the lands of Cuikstoun, wish to be constituted into one parish; that

a designation which he acquired in 1595, when he succeeded to the estate of that name, it was probably completed about that time.

[1] The lands of Heughland, called Balnamoon, in the parish of Brechin, here referred to, are to be distinguished from the lands of Balnamoon in the parish of Menmuir, of which an account is afterwards given. Henghland or Balnamoon first became the property of the Carnegie family in 1549. On 11th December that year, James Wood of Bonnyton granted to Robert Carnegie of Kinnaird, grandfather of David first Earl of Southesk, a charter of the lands of Balnamoon, in exchange for the lands of Idvies, Auchsenrry, Bractullo, Kinneries and Gask, which belonged to Robert Carnegie, to be held from the granter of the Queen and her successors. On 7th January following, Robert Carnegie was infefted in the lands of Balnamoon.—[Original charter and instrument at Kinnaird.] The lands of Heughland or Balnamoon have ever since continued to form a part of the Southesk estates.

the parochial church of Cuikstoun is now entirely demolished; that it was not conveniently situated nor sufficiently large for holding the tenants and inhabitants of the parish of Cuikstoun; and that the fruits and rents belonging to the rectory and vicarage of that parish are insufficient for the sustentation of the minister thereof. It is also narrated that, to remove the evils complained of, David Carnegie of Kinnaird, father of Sir David Carnegie, then of Kinnaird, obtained permission from the Presbytery of Brechin and from the General Assembly of the Church of Scotland, to disjoin the said lands of Kinnaird, Balnamoon, Pantaskell, Over Dalgetty, Middledrums, and Greenden from the parochial church of Brechin, and to constitute the same, along with the said parish of Cuikstoun, into one distinct and separate parish, to be called henceforth the parish of Kinnaird; and that David Carnegie built, at his own expense, the church commonly called the Church of Kinnaird, which is more commodious, and is sufficient to hold the inhabitants of the said lands. And it is added, that besides the patrimony, tithes, and rents belonging to the said parochial church of Cuikstoun for the support of the present or of any future minister of the said church of Kinnaird, which now takes the place of that of Cuikstoun, reasonable augmentation of other tithes and rents ought to be made thereto. His Majesty, therefore, with advice of the Lords of his Privy Council, grants, unites, mortifies, and annexis for ever to the foresaid church of Kinnaird the tithes great and small of the said lands of Kinnaird, Balnamoon, Pantaskell, Middledrums, and Greenden, with the tithes, the manse, glebe, gardens, and all the emoluments belonging to the prebend called the subdeanery of the Cathedral Church of Brechin, and to the vicarage and rectory of Cuikstoun; and grants to the said Sir David Carnegie the right of the patronage of the foresaid church of Kinnaird.[1]

On 6th June 1606, upon a precept of sasine under the Great Seal, Sir David was infefted in the lands mentioned in the preceding charter, and in the right of patronage of the parish church of Kinnaird.[2]

By a decreet dated 28th October 1612, the Lords Commissioners of Parliament appointed for the modification of ministers' stipends, with consent of Sir David Carnegie, the patron, modified to the kirk of Kinnaird for

[1] Original Charter at Kinnaird.

[2] Instrument of Sasine, *ibid.*

a perpetual yearly stipend, one hundred merks Scots, with four chalders of victual 'guid and sufficient stuff,' two part meal, and three part bear, to be payed out of the lands of Pantaskell, Easter Dalgetty, and mains of Kinnaird, in the proportions therein specified, with a manse and four acres for a glebe.[1]

Mr. John Wemyss, who was minister of Cuikstoun, became minister of the new parish of Kinnaird. He was still minister of that parish in 1627. From a report made on the state of the parish of Farnell in that year, we learn that he had taught for many years without fees the children of all the parishioners of Kinnaird and Farnell who were sent to him. Besides his great attention to his proper parochial duties, Mr. Wemyss assisted the Carnegie family in matters of business which would now be performed by a law agent. He prepared wills and marriage contracts, as appears from the originals at Kinnaird.

Kinnaird continued to be a separate parish till the year 1787, when, in compliance with the wishes of the heritors interested, the larger portion of it was, by the proper judicial authority, annexed to the neighbouring parish of Farnell, and the remainder, which was a small portion on the north-west, to the parish of Brechin. The foundations of the old church of Kinnaird are still traceable, and several of the old grave-stones in the churchyard are quite legible. By the care of Lord Southesk these stones are now protected from injury by a paling. The manse of Kinnaird stood about 600 yards to the north of the church. Several of the old inhabitants of the parish of Farnell remember Mr. Wilson, the last minister of Kinnaird, and also the manse when inhabited, and the church when used as a place of worship.

THE BARONY AND CASTLE OF FARNELL.

Closely associated with Kinnaird is the barony of Farnell, or, as it was anciently written, Fernevell. It was, in former times, the property of the Bishops of Brechin, who resided there down to the period of the Reformation. Some of the vassals of the bishops of that diocese appear to have assumed their surnames from the lands now under consideration, as

[1] Old Extract from the Register of Modifications, at Kinnaird.

Duncan of Fernevel, who is a witness, in 1214 and 1227, to charters granted by the Earl of Angus.[1]

When Edward I., King of England, came to Angus, in prosecution of his scheme for subjugating Scotland, he visited 'Fernevell Castell' in his route from Forfar to Montrose, on the 7th of July 1296. On that occasion he obtained at Farnell the homage of William Fraser, son of Alexander Fraser, then deceased.[2]

The lands of Farnell were first alienated from the See of Brechin by Alexander Campbell (brother to the Laird of Ardkinglas), bishop of that diocese. The new possessor was his chief, Archibald fifth Earl of Argyll, to whose friendship he was indebted for his elevation to that bishopric. It has been said, indeed, that the Earl procured the Bishopric for Alexander Campbell while yet a boy at the schools at Paris, with the power of disposing of all the benefices which previously were in the bishop's gift.[3] The Earl received from the bishop a charter of Farnell, dated 10th December 1566, which was confirmed by King Henry and Queen Mary on the 6th of February in the same year.[4]

In consequence of its distance from the Argyll country, Farnell was not long retained by the Argyll family. It was sold by Colin sixth Earl of Argyll, brother of Archibald the fifth Earl, to James Lord Ogilvy of Airlie, by a contract dated 20th January 1578.[5] Previous to his acquisition of Farnell, Lord Ogilvy obtained, on 23d May 1570, a deliverance by John Meldrum, Vicar of Farnell and others, in reference to the place of Farnell, from which it appears that it was then in a very dilapidated condition. The great chalmer, the inner chalmer, the chapel, and all the other apartments are reported as being utterly uninhabitable.[6] After having belonged to the Airlie family for nearly half a century, the lands of Farnwell were sold by James Lord Ogilvy to David Master of Carnegie. The

[1] Liber S. Thome de Aberbrothoc, pars i. p. 34, etc.

[2] Rag. Rolls, 82; Palgrave, 165; Prin., 650.

[3] 'Angus' in Edinburgh Review, vol. cxx. pp. 327, 328.

[4] Original Charters at Kinnaird. Katherine Campbell, Countess of Crawford, a relative of the Earl of Argyll, had possession of the mains and place of Farnell. The Earl granted a precept at Keir, on 10th March 1569, to remove her from Farnell at Whitsunday thereafter.—[Original Precept at Kinnaird.]

[5] Extract Contract at Kinnaird.

[6] Original Deliverance or Report, *ibid.*

charter of sale is dated July 1623, and the Master of Carnegie was infefted in these lands on the precept contained in that charter, on 12th May 1624.[1] On the death of the Master of Carnegie in 1633 without male issue, his father, David Lord Carnegie, succeeded to the lands of Farnell, and these lands have ever since continued to form a part of the Southesk estates. Ochterlony, in his Account of the Shire of Forfar, describes Farnell as being then 'ane extraordinare sweet place, [with] delicat yards, 'and very much planting.'[2]

The castle of Farnell, as it now exists, was probably erected soon after the deliverance or report made to Lord Ogilvy with regard to its ruinous condition in 1570. Nearly a century has now elapsed since it was occupied as a baronial residence. By the considerate benevolence of Lady Carnegie, grandmother of the present Earl of Southesk, it was repaired, and converted into an hospital for poor persons who had formerly been employed on the estate. It accommodates five families, whose wants are duly provided for.

The whole parish of Farnell, with the exception of the glebe, and parochial buildings, is the property of the Earl of Southesk.

In the year 1627 a report concerning the state of the kirk and parish of Farnell was drawn up by a committee, consisting of Mr. Dugald Campbell, parson and vicar of that parish, and two others, appointed by the Presbytery of Brechin, for that purpose, with the view of giving answers to the particular articles as to which his Majesty's Commissioners were making inquiry. An extract from this report, which contains a considerable amount of information respecting the parish, is here inserted :—

THE ESTAIT OF THE KIRK AT FERNUELL, 3d June 1627.

. . . . . .

The number of the communcants within this paroche ar thrie hundreth. The kirk is situat in the medis of the paroche. The fardest hous in the paroche is not above half ane mylne distant from the kirk. The kirk was the Deane of Brechine's kirk of old, as it is presentlie, and, as we wnderstand, the King was patrone,

[1] Original Sasine, *ibid.* The complete proof supplied by these various papers, that the Airlie family were for a short time owners of Farnell, corrects the statement made by Mr. Jervise in his Memorials of Angus, that the tradition to that effect is a popular error, and contrary to all evidence. The careful author of the Memorials, properly jealous of popular tradition, has in this case disregarded it too summarily.

[2] The Spottiswoode Miscellany, vol. i. p. 340.

and we knaw not, nor have not hard, that the patronage is disponit to any laick. The Deane presentlie possesses the rentallit bollis of the haill paroche, as wilbe cleirlie seine in the rentall wnderwrettin of the said paroche, except only the Maynis of Fernuell, and croftheidis, quilkis ar, and have beene this long tyme bygane, set in tak for a silver dewtie, and thair belongeth no other patrimonie to the Deanrie of Brechin, except the few maillis of Stannoquhy and Auchtbovie, extending to fyftie-ane merkis. Thar is na schooll nor fondatione for a schooll, nor na provisionc may be maid for a schooll, nor na necessitie that thair sould be ane, for Mr. Johne Weymes, minester at Kynnaird, has gratis taught all the parochineris barnis of Kynnaird, and this paroche, that pleisit to resoirt to him, thir many yearis bypast, bot he fand very few willing evir to send thair children, and nane thir dyvers yearis bypast, for sa soone as they are aucht year old, thay imploy thame all as hirdis in keipping thair schiepe and nolt. Thair is not any fondatione for hospitallis, nor zit any chaiplanries, nor prebendaries or frier landis within this paroch. As to the particular some that every rowme in the parochc payeth, and rentallit teynd bollis, we have all in ane voice set thame downe in maner wnderwrettin. The haill landis within the parochc perteynis to my Lord Carnegy, except Nether Futhic, quhairof Johne Guild is heretor haldin of his Lordship.[1] . . .

THE EARLDOM OF MONTROSE, COMMONLY CALLED OLD MONTROSE.[2]

THE lands of Old Montrose, from their early history, before they were erected into an earldom, and from their subsequent association with the great Marquis of Montrose, are invested with considerable interest. They became at a remote period the property of the ancestors of the great Marquis, and continued long in possession of the family.

The first of that family who acquired Old Montrose was the famous Knight, Sir David Graham, who signalized himself as a stedfast supporter of Robert Bruce in his claims to the Scottish Crown, for which he was

[1] Extract Report at Kinnaird.

[2] It has been said that the name of Old Montrose is of Gaelic derivation—that it should be read Alt or Ald-Montrose (Alt-Moine-ros), meaning 'The burn of the mossy point.' But this may be doubted. It is certain that in the reign of King William the Lion the first part of the name had attached to it the Saxon sense of the word, as is evident from its being rendered in a Latin charter by that Monarch, *Vetus* Monros. Assuming that *Alt*, in the Gaelic sense of the term, was the original form of the name, we would scarcely have expected to find it in its present altered form of *Old* Montrose so early as in the reign of King William the Lion.

expressly excepted out of the Act of Indemnity offered to the Scots by Edward I., King of England; and who was one of the Magnates of Scotland who subscribed the famous letter to the Pope in the year 1320, asserting the independence of their country. His devoted loyalty was gratefully acknowledged by King Robert, who made to him various grants of lands. One of these transactions, relating to an exchange of certain lands, between the King and his faithful adherent, is interesting as illustrating their readiness to accommodate each other, and as connected with the last days and closing scene of the life of the King. At Scone, on 5th March, in the year 1325, a warrant was given by King Robert to Bernard, Abbot of Arbroath, Chancellor of Scotland, to expede a charter under the Great Seal, in favour of Sir David of Graham, Senior, Knight, of the lands of Old Monross, in the shire of Forfar, according to the tenour of a charter which Sir David had obtained thereof, under the King's private seal.[1] The nature of this transaction is more fully explained in the charter itself, bearing the same date as the preceding warrant, granted by the King to Sir David, for his homage and service, and in exchange for the lands of Cardross, in the shire of Dumbarton, of the whole lands of Old Montrose; to be held of the King and his heirs in feu and heritage, for performing the Scottish service pertaining to these lands. This charter was confirmed by King David II., 11th January 1358.[2]

At the time when this charter was made, King Robert the Bruce, being worn out with the hardships of war rather than by advanced years, was actuated in making it by a regard to his own health as well as by a desire to reward the services of his loyal subject, having selected the Castle of Cardross, which was situated in one of the most beautiful and healthiest districts in Scotland, as a place of retirement and repose. He died in that castle on 7th June 1329, in the 24th year of his reign, and Sir David Graham did not long survive his royal master.

Old Montrose was not the earliest possession of the Graham family in that part of the country.

The lands of Kinnaber and Charleton, in the parish of Montrose, both of which were for some time the property of the Carnegies of Pittarrow,

[1] *Vide* Appendix, p. 483, No. 32.

[2] *Vide* Appendix, p. 484, No. 34.

became the property of the family of Graham more than a century before their acquisition of Old Montrose. King William the Lion, by a charter without date, but in or before 1214, the year in which he died, granted to Sir David Graham, senior, Knight, the lands of Kinnaber, Charleton, and Borrowfield, and the fishing of the water of Northesk, in the shire of Forfar, to be held of the Crown in free barony for rendering the service of a bowman in the King's army, and a suit yearly, at his court of Forfar.[1] On 5th March, King Robert the Bruce, in the twentieth year of his reign [1325], granted a charter to Sir David Graham, senior, Knight, for his homage and service, of three merks of land, and twenty shillings of yearly rent due to the King out of the lands of Charleton, and seven merks of yearly rent out of the Thanery of Kinnaber, in exchange for the lands of Sokach, in the earldom of Carrick, and of the isles of Inchcalloch and Inchfad, in the earldom of Lennox.[2] The former of these charters was confirmed by King Robert II. on 28th July, in the nineteenth year of his reign [1390].[3]

A controversy having arisen between Sir John of Lindesay of Thurnstoun, and Sir David of Grahame, Knight, son of Sir David, the friend of Bruce, with regard to the lands of Auldmunross, the case was brought before the Parliament of King Robert II., held at Scone, in March 1372. By that Parliament it was decreed that Sir David ought to remain in possession of the lands of Old Montrose, no satisfactory documents for setting aside his right having been produced by Sir John, and that the King ought to support him in the defence of his right against Sir John.[4]

In the year 1394, at the feast of St. Luke, Patrick Graham, Lord of Kyncardin in Strathearn, son of the last-mentioned Sir David Graham, by an indenture between him and John of Stane, Provost of the burgh of Montrose, in name of the community of that burgh, mortified 110 merks sterling money of Scotland, to be raised annually from his lands of Old Munros, for the sustentation of the chapel of St. Trinity, within the parochial church of Montrose, and of the chaplain there celebrating divine service.[5]

[1] *Vide* Appendix, p. 496, No. 46.

[2] Original Charter in Montrose Charter Chest.

[3] *Vide* Appendix, p. 496, No. 46.

[4] *Vide* Appendix, p. 490, No. 39.

[5] Original Indenture in Montrose Charter Chest.

The lands of Old Montrose were, by a charter granted by King James IV. under the Great Seal, 3d March 1504, in favour of William (first) Earl of Montrose, Lord Graham, etc., erected into a free barony and earldom, to be called in all time coming the barony and EARLDOM OF MONTROSE, to be held of the King for rendering three suits at three head courts held yearly in the Tolbooth of Forfar, and the services of ward, relief, and marriage.[1]

The lands were still in the possession of the Grahams in the early part of the seventeenth century. On 28th March 1627, James fifth Earl of Montrose, afterwards the celebrated Marquis, was served heir of his father, John fourth Earl of Montrose, in the lands, barony, and earldom of Old Montrose.[2] The young Marquis was one of the nearest neighbours of the Southesk family at Kinnaird, and there he wooed and married Lady Magdalene Carnegie, the youngest daughter of David first Earl of Southesk, as is related in the Memoir of that Earl. James second Marquis of Montrose, son of the great Marquis, was served heir of his father, 30th May 1665, in the same lands, barony, and earldom.[3] James third Marquis of Montrose, son of the preceding, was served heir of his father, 24th June 1669, in the same lands, barony, and earldom, and died in the flower of his age, in 1684.[4]

The mansion-house of Old Montrose was one of the residences of the Montrose family, and it is said that it was the birth-place of the great Marquis.[5] The family acquired the old castle in the town of Montrose, and this also is reputed to have been the birth-place of the Marquis.

The earldom of Old Montrose continued the property of the Montrose family till towards the end of the seventeenth century. After passing through the hands of the family of Hay of Balhoussie,[6] and others, this earldom was acquired, in 1789, by Sir David Carnegie of Southesk, the fourth Baronet. This was a very desirable acquisition for the proprietor of Kinnaird, as the two properties were adjacent.[7]

The church of St. Mary of Old Montrose is frequently referred to in

[1] Original Charter in Montrose Charter Chest.

[2] Inquis. Retor. Abbrev., Forfar, No. 168.

[3] *Ibid.*, Forfar, No. 415.

[4] *Ibid.*, Forfar, No. 440.

[5] The mansion-house of Old Montrose has long been in ruins, the fragment of a tower being all that now remains. *Vide* p. 128.

[6] Inquis. Retor. Abbrev., Forfar, No. 462.

[7] *Vide* p. 224.

early charters. It is one of the many churches which, with their manses, glebes, church lands, and tithes, were gifted by King William the Lion to the abbey of Arbroath, after he had founded it. In a confirmation by that Sovereign, dated Selkirk, 25th May, the year not given, but between the years 1211 and 1214, of various lands and churches to that monastery as a free and perpetual alms, the church of St. Mary of Old Montrose, with the land thereof, which in Scotch is called Abthen, by its right divisions, and with its plenary tithes, and all its just pertinents, is included.[1] The same church is similarly included in a confirmation of the preceding charter granted by King Alexander II., dated 17th February, the year not given, but probably between 1214 and 1218.[2]

A charter, without date, but between the years 1178 and 1198, was made by Turpin, Bishop of Brechin, confirming to the monastery of Arbroath the church of Old Munros, and other churches, with their chapels, lands, tithes, oblations, and all their just pertinents, and granting to the monks of the said monastery the right to convert to their own use and for their sustentation, all the rents and profits of these churches, and to appoint in the same churches such chaplains as they pleased.[3]

Similar confirmations were made to the same monastery of the church of Old Montrose and other churches, by Rudolph, Bishop of Brechin, between the years 1211 and 1218; by Hugh, Bishop of Brechin, about the year 1218; and by Gregory, Bishop of Brechin, between the years 1218 and 1222.[4]

Confirmations were also granted by Pope Lucius III. about the year 1182, and by Pope Innocent III. on 21st April 1200, to the monastery of Arbroath, of various lands and churches, among which is the church of Old Montrose, with its lands, tithes, and all its pertinents.[5]

After the Reformation, the tithes and patronage of the church of St.

[1] Liber S. Thome de Aberbrothoc, pars i. p. 4, and pars ii. p. 539. 'Abthein was 'land, the property of, or connected with, 'an abbot or abbacy—perhaps of a Colum-'bite or Culdee house—but whether any 'other quality or condition enters into its 'meaning there are too few materials yet 'to ascertain.'—[*Ibid.* pars i. Preface, p. xxiv.]

[2] Liber S. Thome de Aberbrothoc, pars i. p. 71.

[3] *Ibid.*, pars i. p. 121; Registrum Episcopatus Brechinensis, vol. ii. pp. 255, 258.

[4] Liber S. Thome de Aberbrothoc, pars i. pp. 122, 123, 128-130; Registrum Episcopatus Brechinensis, vol. ii. pp. 255, 259.

[5] Liber S. Thome de Aberbrothoc, pars i. pp. 152, 155.

Mary of Old Montrose came into the possession of James second Marquis of Hamilton, the lands of the abbey of Arbroath having been formed into the temporal lordship of Arbroath in his favour.

THE GREAT MOOR OR FOREST OF MONROMMON, NOW PART OF THE SOUTHESK ESTATE.

THE office of Keeper of the Moor of Monrommon[1] was held at an early period by a family of the name of Tulloch, who were probably connected with the Tullochs of that ilk. On 14th November 1399, King Robert III. granted to John, son of William Tulloch, a charter of the office of keeper of that moor, of the toft of 'the Woll, with the three Lawis,' of the tofts of Fairnyfauldis, Pitkennety, Myresyde, Whitefauldis, and Lownanside, and of the mill called the Mure Mill; with four pence for every iron tool or spade which lay on the said moor one day, and the same sum for every person who cast peats or divots, or gathered heather or fodder, and for every animal which pastured thereon for one day; with power to the keeper to take in, labour, and occupy any part of the moor. The reddendo payable to the King under that charter was a silver penny at the town of Forfar.[2]

The bishops of Brechin at an early period possessed as their own property the portion of the moor of Monrommon called Wellflat. John Carnoth, who was bishop of that See in the first half of the fifteenth century, purposed to bring under cultivation this portion of the moor, which had not been cultivated for a long time, though it bore the marks of former culture. Apprehensive that his neighbours might obstruct him in so doing, and doubting lest in the course of time the evidence of this ancient right might be lost, he petitioned King James I. to provide against such a contingency. He accordingly obtained, under the Great Seal, a precept dated 12th March 1434, addressed to the Sheriff of Forfar and his bailies,

[1] The spelling of this name, like that of many others, is unsettled. The Surveyors for the Ordnance Map have adopted Montreathmont, and the other variations are—Monrewmonth, Monromman, Monrommon, Monromont, Monthremont, Montreumonth. Monrommon is nearest to the local pronunciation.

[2] *Vide* Appendix, p. 500, No. 50.

eharging them to examine upon oath sueh witnesses as the bishop should produee before them to give evidenee relative to the right of the bishops of Brechin to the portion of the moor referred to, and to deliver to him for preservation a eopy of the depositions thus taken under their offieial seal. The bishop having, 8th July 1434, appeared before Walter Ogilvy, Sheriff-depute of Forfar, and exhibited this preeept, three witnesses were examined. The witnesses testified to various faets and eircumstanees which proved that two of the preeeding bishops of Brechin had peaeeably possessed the said portion of the moor; and extraets of their depositions were granted to the bishop, under the Sheriff's offieial seal, in terms of the King's preeept.[1]

The offiee of Keeper of the Moor of Monrommon eontinued in the Tulloeh family till towards the end of the sixteenth eentury. David Tulloeh of Hillcarnie granted to Miehael Tulloeh, his eldest son, and Alison Coekburn, his spouse, a eharter of the eustody of the moor of Monrommon, with the tofts, erofts, and privileges thereof, dated 25th April 1516; and on 18th June 1525, this eharter was eonfirmed by King James V. Thomas Tulloeh was infefted in the same offiee, 15th September 1572, as heir of his father, Franeis Tulloeh of Hillearnie.

After this the offiee passed from the Tulloehs to the Woods of Bonnyton, who held it for nearly a eentury. About the beginning of the sixteenth eentury a marriage took plaee between Dorothea Tulloeh and Wood of Bonnyton. On the 31st of August 1520, she, as lady of Bonnyton, resigned her half of the lands of Tulloeh to her son, William Wood, and his wife, Margaret Ogilvie.[2] Thus was a portion of the lands of Tulloeh transferred to the Woods, but that family did not aequire the offiee of Keeper of the Forest of Monrommon till a period eonsiderably later. On 9th January 1572, Thomas Tulloeh of Hillearnie, with eonsent of his son Alexander, disponed to Patriek Wood of Bonnyton his part of the moor of Monrommon; and Thomas Tulloeh of Pitkennedie granted to the same Patriek Wood a eharter of the keeping of the moor, dated 21st May 1577. On 22d July 1581, Thomas Tulloeh of Pitkennedie and Alexander Tulloeh, his son, granted to Nieholas Wardlaw, spouse to Patriek

[1] *Vide* App. p. 510, No. 62. [2] Liber S. Thome de Aberbrothoc, pars ii. pp. 428, 429.

Wood of Bonnyton, and Patrick Wood their son, a charter of the keeping of the moor, with all its ancient privileges; and they were infefted therein 30th March 1583.

Between that date and the time of Oliver Cromwell various charters were made, and instruments of sasine passed, for investing the family of Wood of Bonnyton in the office of Keeper of the Moor. The last of these deeds was a precept granted by Oliver Cromwell, Lord Protector of the Commonwealth of England, Scotland, and Ireland, for infefting Archibald Wood of Hilton, as heir to Archibald Wood of Hilton, his father, in the keeping of the moor of Monrommon. The date of the precept is torn away, but it must have been before 3d September 1658, when Cromwell died. On 18th March 1659, Archibald Wood was served heir-male of Archibald Wood of Hilton, his father, in the keeping of the moor.[1]

Soon after that date, the hereditary keepership of the moor of Monrommon was acquired by James second Earl of Southesk from Archibald Wood of Hilton, by disposition dated 15th May 1659.

In the prospect of the visit of King James VI. to Kinnaird in the year 1617, arrangements were made for his Majesty's enjoying the chase in the moor of Monrommon.[2] So much was his Majesty pleased with the hospitality of the Earl of Southesk, and with the amusement of hunting in the moor during his stay at Kinnaird, from the 22d to the 30th of May that year, that, in contemplation of his again visiting Scotland in the year 1621, he purposed to spend some days in hunting in Monrommon. In anticipation of this visit he wrote a letter to the Earl of Mar, Treasurer of Scotland, on 17th April 1620, instructing him to forbid all hunting in and around the moor, and the tillage or cutting of turf in any part of it. The letter is as follows:—

James R.—Righte trustie and righte welbeloued cosen and counsellour, Wee greete yow well: Whereas wee intende, God willing, this nexte yeare to repaire to

[1] Inquis. Retor. Abbrev., Forfar, No. 374. The family of Wood of Bonnyton long held a prominent position; but they have ceased to be known in the district of that name. Sir David Wood and Henry Wood, sons of the late Patrick Wood of Bonnyton, submitted certain differences to King James VI. for decision, as appears from a letter written by the king on 23d September 1610.—[Original Letter in the Mar Charter-chest.]

[2] *Vide* p. 80.

that our kingdome and spende some dayes at our disporte of hunting in Moore Rumont, wee haue thoughte goode by these presentes to require yow not onlie to haue a eare of preseruing our game there, by diseharging all hunting with grewhoundes therein, and in some eonuenient plaee aboute it, but likewise diligentlie to take heede that the same be not endomaged, eyther by eneroehing thereupon by tillage, or yet by eutting vp of turfes, diuottes, or faill thereupon, whereby the grounde is not onlie spoyled, but likewise made stonie, and by that meanes dangerous for horsemen to ride vpon. Of this wee spake to yow at our last being there, and yee promised to haue a eare to see it amended, the performance of whieh promes wee now expecte. Moreouer, wee vnderstande that these manie yeares there haue not bene so manie nor so good haukes bred in that our kingdome as haue bene this year. Notwithstanding whereof wee haue not had anie sente to vs. This also yee muste eause be amended: for if wee be vnfurnished frome thenee we shall forgette to eause pay your pension. Farewell. Giuen at our pallaee of Whitehalle 17th of Aprile 1620.[1]

Ochterlony of Guynd, in his Account of the Shire of Forfar, describes this moor as situated on the west side of the parishes of Kinnaird and Farnell, and terms it 'that great and spacious forrest called Montroymont, belonging to the Earl of Southesk, and abounding in wild fowl and hares.'[2]

King James VII. granted, on 28th March 1685, to Robert third Earl of Southesk a charter of the moor of Monrommon, with full power of cultivating the same, of letting it to tenants, of building upon any part of it houses and other erections, and of exercising all acts of property with regard to it as if it were his own, and excluding all others who had intruded, or should intrude themselves into the possession of the said moor, or any part thereof, under the pretext either of property or commonty. This charter was ratified by Act of Parliament on 15th June 1685.

The keepership of the moor of Monrommon, and the moor itself, now continued in the family of Carnegie of Southesk. Upon the death of Robert third Earl, his son, Charles fourth Earl, was served heir to him, on 8th May 1688, in the commonty and keeping of the said moor, and in the moor itself.[3] Upon the death of Charles fourth Earl, his son, James fifth Earl, was served heir to him, 14th March 1700, in the same office.[4]

During the periods in which the office of custodier of the moor of

[1] Original Letter, Mar Papers.

[2] The Spottiswoode Miscellany, vol. i. p. 341.

[3] Inquis. Retor. Abbrev., Forfar, No. 512.

[4] *Ibid.*, Forfar, No. 557.

Monrommon was held by the various families above mentioned, several of the neighbouring proprietors possessed the right of the commonty and pasturage thereof.[1] The first notice of this right as belonging to the neighbouring proprietors which we have met with, is contained in a confirmation by David II., 31st October 1343, of a charter by Margaret Stewart, Countess of Angus, whereby, in the free power of her widowhood, for the welfare of the soul of her deceased lord, John Stewart, late Earl of Angus, and of her own soul, and of the souls of her progenitors and heirs, she gave to the monastery of Arbroath the lands of Braikie and others, with the commonty and common pasture in the moor of Monrommon.[2]

In the end of last century, the moor was allocated amongst the neighbouring proprietors who had in it a right of pasturage or other right. The then proprietor of the estate of Usan, in the parish of Craig, claimed a part of the moor equivalent to the extent of the cadger road through it,[3] there having existed a servitude of a right to a cadger's road from the shore of Usan over the lands of Craig and the moor of Monrommon to the cross of Forfar. The breadth of the road was the length of a mill wand. The track of the King's Cadger's road in Monrommon moor is still known. Since its division, the greater part of the moor has been planted, and it is now under a crop of thriving wood, chiefly Scotch firs, with a mixture of larch and spruce. The portion belonging to the Southesk family covers about three thousand acres, and extends three miles in length by nearly two in breadth.

[1] Inqnis. Retor. Abbrev., Forfar, Nos. 37, 38, 64, 88, 378, 401, 437, 492.

[2] Liber. S. Thome de Aberbrothoc, pars ii. p. 18.

[3] New Statistical Account of Scotland, vol. xi. p. 251. Usan (Ulishaven) has been from early times an excellent fishing station. When the ancient kings of Scotland resided at Forfar, fresh fish were conveyed thither daily from Usan. 'A stripe of land of 'about thirty acres along the shore of Usan 'is said by tradition to have been the resi-'dence of the King's Cadger.'

THE LORDSHIP, CASTLE, AND CHURCH OF LEUCHARS.

The Lordship and Castle of Leuchars are situated in the parish of that name, in the county of Fife, and from them is taken a part of the titles of honour of the Carnegie family.

In the reign of King Malcolm IV. the lordship of Leuchars belonged to Ness, the son of William. Arabella, the heiress of Ness, married Robert of Quincey of Northamptonshire, who received from King William the Lion a grant of the lordship of Leuchars. Robert of Quincey died about the year 1190, when he was succeeded in Leuchars by his son, Sieur of Quincey, who was created Earl of Winchester in England. The Earl died in 1219, when he was succeeded in his titles and estates by his son, Roger of Quincey, second Earl of Winchester. About the year 1230, Roger of Quinccy, Earl of Winton or Winchester, who was also High Constable of Scotland, granted a charter to the church of St. Mary of Balmerino, and to the abbot and monks there, of a portion of peat ground in Swansmure, which had been staked off by his constable of Lokris (Leuchars). This charter is printed in the Appendix.[1]

Roger Earl of Winton or Winchester married Helena, eldest daughter of Allan, Lord of Galloway, by whom he had three daughters, who, at his death in 1264, became the co-heiresses of his estates. One of these daughters, Elena, married Allan la Zuche. On 24th February 1273, Elena la Zuche, daughter of Earl Roger, granted to John of Kyndelouch the town and lands of Mcikle Croyn.[2] To this charter, which is printed in the Appendix,[3] there is still appended the beautiful seal of the lady Elena. The seal is oval, having in the centre the figure of a lady in long attire, holding a shield in each hand. The shield on the dexter side bears nine bezants, being the arms of her husband, Allan la



[1] *Vide* Appendix, p. 476, No. 24.

[2] So named in the charter, but it is supposed to refer to the lands of Cruvie in Fife, which from an early period were the property of the family of Kinloch.

[3] *Vide* Appendix, p. 481, No. 29.

Zuche; and that on the sinister side is charged with a cinquefoil, showing her own descent from the Earls of Leicester. Her father, Earl Roger, carried a cinquefoil as part of his arms, to mark his Leicester descent; but it is remarkable that his daughter did not carry the seven mascles which he bore in his beautiful seal. In those early days, however, the armorial bearings used by individuals or families were only beginning to be established by definite rules, and the seals of the De Quincey family are very interesting examples of the prevailing variations.

Elizabeth, the second daughter of Earl Roger, married Alexander Cumyn, third Earl of Buchan, who in her right inherited the office of Great Constable of Scotland, which, as well as the lordship of Leuchars, belonged to her father, Earl Roger. The son of that marriage was John fourth Earl of Buchan, Constable of Scotland, who married Isabel, daughter of Duncan tenth Earl of Fife. John Earl of Buchan, taking the side of Baliol, was a strenuous opponent of Robert Bruce, by whom he was defeated in several engagements, and deprived of his office of Great Constable, as well as of his estates. His countess, however, was an adherent of Bruce, and in the absence of her brother, the Earl of Fife, to whom belonged the privilege of crowning the Scottish kings, she placed the Crown on the head of Bruce at Scone in 1306. For this act of devotion to Bruce, she was severely punished by the Baliol party, who confined her for seven years in a cage on a turret of Berwick Castle. The lordship of Leuchars, which was forfeited by the Earl of Buchan, was afterwards parcelled out to three families of the names of Ramsay, Wemyss, and Monypenny. The third part, called Leuchars Ramsay, after the name of the grantee, Sir Alexander Ramsay, included the castle of Leuchars.[1] Sir Alexander Ramsay's only daughter married Monypenny of Pitmillie; and their

[1] One of the Court Hills of the barony of Leuchars was called Bunnowis Hill. This appears from the retour of the service before Henry Ramsay of Colluthie, Baron of the barony of Leuchars Ramsay, of James Foulis, as heir of his father, John Foulis, in the half lands of Rynd, in that barony. The service was expeded on the hill commonly called Bunnowis Hill on 30th May 1470.—[Original Retour in Leuchars Charter Chest.] About seven years previously, the same Henry Ramsay of Colluthie had recognosced the lands of Leuchars in the hands of the King; and on 26th January 1463, Henry Ramsay requested from the Lord Avendale, Chancellor, the lands of Leuchars, offering to render for the same the required services. —[Notarial Instrument at Kinnaird.]

successor in Leuchars Ramsay, who was an heiress, married Ramsay of Colluthie, who thus acquired Leuchars Ramsay. Elizabeth Ramsay, heiress of Colluthie and Leuchars, married David Carnegie of Panbride, second son of Sir Robert Carnegie of Kinnaird, who thus acquired the lordship of Leuchars, as is more fully related in the Memoirs of David Carnegie of Colluthie and his children by that lady.[1]

The Castle of Leuchars, which was anciently a residence of the kings of Scotland, stood on an eminence surrounded by a moat, across which there was a bridge to the castle, and in which, for utility or pleasure, a boat was usually kept.

After the acquisition of Leuchars by Sir Robert Carnegie and his son, the castle was frequently the residence of Sir Robert and his successors. So much, it would appear, was it liked as a residence by Christian Kirkcaldy, the mother of Elizabeth Ramsay, heiress of Leuchars, that she declined to vacate it for her daughter and her husband, David Carnegie. The Lords of Council, on a complaint being made against her on this ground, ordained, by decreet dated 25th September 1559, that she should remove herself and her servants, and goods, forth of the castle, and deliver the same to her daughter. In her masterful possession of the tower and fortalice of Leuchars, she was assisted by a David Ramsay, who was probably a relative of her deceased husband, Henry Ramsay of Colluthie.[2]

The lordship of Leuchars, after its forfeiture to the Crown in the year 1716, continued the property of the Crown or of its grantees till the year 1782, when Sir David Carnegie, grandfather of the present Earl of Southesk, re-acquired it. Sir David continued to possess the estate for only a comparatively short period, having found an opportunity of disposing of it to advantage. The purchaser was Alexander sixth Earl of Balcarres, and the price paid was £31,500. The conveyance by Sir David in favour of that Earl is dated 5th August and 25th December 1786, and four years thereafter the Earl reconveyed the estate to his second son, the Honourable Robert Lindsay, and it is now the property of Sir Coutts Lindsay, Baronet.[3]

[1] *Vide* pp. 36-57, *infra*.

[2] Original Decreet at Kinnaird.

[3] Extract Disposition in Leuchars Charter-chest. The re-conveyance by the Earl of Balcarres to his son Robert is dated 8th April 1790.—[*Ibid.*]

Although Sir David Carnegie was proprietor of Leuchars only for a few years, he was very active during that period in improving it. He planned the draining of the morasses around the castle, and made other extensive improvements, which greatly enhanced the value of the estate. Mr. Lindsay, having acquired the estate and mansion of Balcarres, did not require a permanent residence at Leuchars, and did not therefore consider the old castle worth preserving. So far from this, he entirely demolished it, and, according to the barbarous spirit of that age, which had little or no taste for the preservation of monuments of antiquity of any description, applied the materials for building farm offices on the estate. No part of the castle now remains; but the site, which is at a short distance to the north from the present railway station, is indicated by a circle of fine Irish yews.

Old inhabitants in the village of Leuchars, who remember the castle before its demolition, describe it as having been similar in the style of its architecture to the neighbouring castle of Earlshall. Leuchars Castle was, however, much larger. The rooms were very tastefully fitted up with rich oakwood panellings. When the castle was demolished, several of the carvings were preserved by Sir Patrick Threipland of Fingask.

The old church of Leuchars has been more fortunate than the castle. A considerable part of it still remains. The period usually assigned for its erection is the time when the De Quinceys, Lords of Leuchars, resided in the castle. The eastern portion of the church is a very excellent specimen of ancient architecture. It consists of two parts, one of which is rectangular, having been the chancel, and the other is a semicircular apsis, at the east end, at which the altar stood.

THE LANDS OF COLLUTHIE, IN THE REGALITY OF ST. ANDREWS.

Besides Leuchars, the lands of Colluthie, which are situated in the regality of Saint Andrews, parish of Moonzie, and county of Fife, were acquired by Sir Robert Carnegie and his son, David Carnegie, then of

Panbride, by the marriage of the latter with the heiress, Elizabeth Ramsay. On the lands of Colluthie stands an old mansion-house which is said, but without sufficient authority, to have been erected by Sir William Ramsay of Colluthie, who, about the middle of the fourteenth century, married Isabel Countess of Fife, daughter and sole heiress of Duncan twelfth Earl of Fife, of the race of Macduff. Sir William Ramsay, being invested with the Earldom of Fife in right of his wife, came to be styled Earl of Fife. Of that marriage there was no issue, and Colluthie continued to be inherited by the heirs of Sir William Ramsay, till it was acquired by Sir Robert Carnegie and his son, through the heiress of Colluthie and Leuchars, as already mentioned.[1] David Carnegie of Panbride, after his marriage, preferred the designation of Colluthie to his previous one of Panbride, and even to that of Leuchars, owing, no doubt, to the circumstance that the latter had been for some time divided into three portions,—Leuchars Ramsay, Leuchars Wemyss, and Leuchars Monypenny.

In the proceedings of Parliament and Privy Council, and in the numerous Royal Commissions on which he served for a long period, David Carnegie is invariably designed Laird of Colluthie, down to within a few years of his death, when he succeeded to Kinnaird.

The Ramsays of Colluthie and Leuchars were an ancient and warlike

[1] John Ramsay was infefted in the lands of Colluthie on 13th October 1470, as heir to his father, Henry Ramsay of Colluthie. The sasine proceeded on a precept granted on the previous day by Patrick Graham, the first Archbishop of Saint Andrews, at his Episcopal Palace of Mount Mellis.—[Original Precept and Sasine at Kinnaird.] In the garden at Melville House, formerly Monimail, there still exists a part of the palace of Mount Mellis. It is said to have been built by Bishop William Lamberton, who died in 1328. It was at the castle of Monimail that Cardan, the famous Italian physician, effected a wonderful cure on the person of Archbishop Hamilton. A successor of that Archbishop, and an ecclesiastic more generally known, Cardinal David Betoun, granted to David Ramsay of Colluthie and Henry Ramsay, his son and apparent heir, a lease for nineteen years of the passage and ferry-boat upon the water of Tay, with all frauchtis, profits, and duties pertaining thereto, for the yearly payment of £20 Scots, and carrying the marts, oxen, and mutton coming from the north side of the ferry to the castle of Saint Andrews. There is a special provision that the ferry must be well served with sufficient boats on both sides, otherwise the lease was to become void. The lease is dated at the Metropolitan Kirk of St. Andrews, on 6th December 1540, and the third year of the consecration of the granter. It is subscribed by the Cardinal, and sealed with his oval seal.—[Original Lease at Kinnaird.]

race. The same Sir William Ramsay of Colluthie, who became Earl of Fife, in right of his wife, along with other knights and squires, accompanied William first Earl of Douglas to France, and they were present in the French army at the battle of Poictiers, fought on 19th September 1356, between the French and the English, the latter having invaded France under Edward the Black Prince. At this battle Archibald of Douglas, natural son of James eighth Lord Douglas (the faithful friend of King Robert the Bruce), and a kinsman of the Earl's, fell into the hands of the English. Through an ingenious stratagem, on the part of Sir William Ramsay of Colluthie, Douglas fortunately effected his escape. The successful ruse is thus related by Fordun:—'Archibald Douglas 'having been made prisoner along with the rest, appeared in more sumptuous armour than the other Scottish prisoners, and therefore he was 'supposed by the English to be some great lord. Late in the evening 'after the battle, when the English were about to strip off his armour, Sir 'William Ramsay of Colluthie happening to be present, fixed his eyes on 'Archibald Douglas, and affecting to be in a violent passion, cried out, '"You cursed, damnable murderer, how comes it, in the name of mischief '"(*ex parte Diaboli*), that you are thus proudly decked out in your master's '"armour? Come hither and pull off my boots." Douglas approached 'trembling, kneeled down, and pulled off one of the boots. Ramsay, taking 'up the boot, beat Douglas with it. The English bystanders, imagining 'that he was out of his senses, interposed and rescued Douglas. They 'said that the person whom he had beaten was certainly of great rank, 'and a lord. "What! he a lord?" cried Ramsay; "he is a scullion and a '"base knave, and, as I suppose, has killed his master. Go, you villain, '"to the field, search for the body of my cousin, your master, and when '"you have found it, come back, that at least I may give him a decent '"burial." Then he ransomed the feigned serving-man for forty shillings, 'and having buffeted him smartly, cried, "Get you gone; fly." Douglas 'bore all this patiently, carried on the deceit, and was soon beyond the 'reach of his enemies.'[1]

Colluthie continued to form part of the property of the Carnegie family

[1] Fordun, lib. xiv. c. 16.

till the year 1683, when, by a contract dated the 5th April of that year, Robert third Earl of Southesk sold it to John Aytoun of Kinnaldie and Mr. Alexander Balfour, Doctor of Medicine, equally between them. After several changes of owners, Colluthie is now the property of Mr. John Inglis.

As proprietors of Colluthie, the Carnegie family were superiors of a small property called the Newton of Collessie. In the year 1616, this small property was acquired by James Thomson in Widdersbie, in the parish of Collessie, who thus became the feudal vassal of the Carnegie family. From him have descended several persons of eminence in various walks of life, of whom were the late Mr. Thomas Thomson, advocate, Deputy-Clerk Register of Scotland, and his brother, the Rev. John Thomson, minister of Duddingston, the famous landscape painter. The Newton of Collessie continued in the Thomson family till it was sold in the year 1760 by James Thomson, medical practitioner in Elgin.[1]

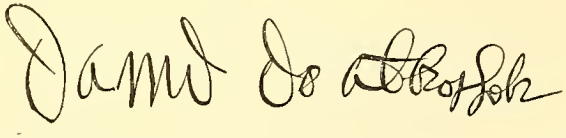
[1] The following writs, chiefly granted by the Carnegie family, show the successive generations of the family of Thomson who were inheritors of Newton :—(1. and 2.) Two charters of sale by Sir Henry Wardlaw of Pittreavie, Knight, to James Thomson in Widdersbie, dated 2d March 1616. (3.) Precept of *Clare Constat* by Lord Carnegie to William Thomson, as heir of his father, the said James Thomson, dated 19th January 1619. (4.) Charter by William Thomson, senior, of Newton of Collessie, to his eldest son, William Thomson, and Elizabeth Bennet, his spouse, dated 9th March 1668. (5.) Charter of Confirmation by Robert Earl of Southesk to the said William Thomson and his spouse, dated 10th August 1674. (6.) Disposition by the said William Thomson to his son, Mr. James Thomson (minister at Elgin), and Janet Brodie, his spouse, dated 15th March 1701, and registered in the Books of Council and Session 20th March 1760. (7). Retour of the Service of James Thomson, physician in Elgin, as heir in general to his father, the said Mr. James Thomson, expede in the burgh court of Elgin, 24th January 1727.—[Original Writs with Mr. Inglis of Collnthie.]

This Dr. James Thomson sold Newton to David Wallace of Polduff, by disposition dated 26th February 1760. Dr. James Thomson was the uncle of Mr. Thomas Thomson, advocate, and of his brother, the Rev. John Thomson, who were sons of Mr. Thomas Thomson, minister of Daily.

Widdersbie, of which James Thomson, the first of that name who acquired the Newton of Collessie, was tenant, belonged, in the reign of King James V., to John Kinloch. Upon the death of Kinloch, the nonentry of Widdersbie was granted by King James V. to David Ramsay of Colluthie. The gift passed the Privy Seal at Pittenweem on 22d July 1536.—[Original Gift at Kinnaird.]

THE BARONY AND CASTLE OF PITTARROW.

The lands of Pittarrow, previous to their becoming the property of the Carnegie family, belonged to the family of Wishart. The Wisharts acquired them at an early period, and continued the proprietors for centuries. Of the Wisharts of Pittarrow, several rose to eminence in the service of the State, and one of them was distinguished as the precursor of John Knox, and as a martyr for the Reformed faith. George Wishart, who was burned at the Castle Green of St. Andrews, on 1st March 1546, for the new opinions which were then beginning to spread in Scotland, belonged to the Pittarrow family, having been, it is probable, a younger brother of Mr. James Wishart of Pittarrow, Clerk of Justiciary, and King's Advocate, who died towards the end of the year 1524. Cardinal Beton, who was the chief instrument in the martyrdom of Wishart, well knew the respectable position of the family to which the martyr belonged, having had transactions with them as Abbot of the Abbey of Arbroath, which was the feudal superior of certain lands held by them in part of the barony of Pittarrow. This appears from various documents relating to Pittarrow, but it is only necessary to quote two. These are two precepts of sasine granted by David Beton, as Commendator of Arbroath. One of them is dated 10th May 1525, being the year after he became the head of the abbey, and the other is dated twenty years later, long after he has been supposed to have ceased to be Abbot of Arbroath. The first precept is directed to James Strathauchan of Monboddo and others, for infefting John Wishart as heir to his father, Mr. James Wishart of Pittarrow, in the mill and lands of Conveth, in the shire of Kincardine, which were held of the abbey in chief. This precept is not sealed with the official seal of the abbey, as was usual, but with the Abbot's own private seal, on which his family arms were engraved.[1] It is also signed by the Abbot thus:—



[1] Original Precept at Kinnaird. Cardinal Beton's arms were, 1st and 4th, a fess between three mascles, two and one in base for Beton. The fess in both quarters is sunk

The other precept was granted for infefting Mr. James Wishart and Elizabeth Wood, his spouse, in the town and lands of Balfeith, which were then laboured by William Wishart, in the barony of Redhall, regality of Arbroath, and shire of Kincardine. The precept bears that the lands formerly belonged to John Wishart of Pittarrow, and were resigned by him into the hands of the Cardinal, as Commendator of Arbroath, at the Castle of St. Andrews. It is dated at the Monastery of Arbroath, on 14th April 1545, not quite eleven months before the martyrdom of George Wishart, and is subscribed by the Cardinal, and twenty-one of the religious men (*religiosorum virorum*) and convent convened in chapter. It is also sealed with the round seal of the Cardinal, which is counter-sealed with his privy seal, and sealed with the common seal of the monastery. Both seals are much broken; but the Cardinal's signature is one of the fullest that we have ever seen affixed to any of his charters, and the designations attached to his name show the increase which, during the course of the twenty years that had elapsed between the date of this precept and the one previously mentioned, had taken place in the plurality of the offices he had acquired. The signature is in these words :—

Dauid Card^lis S^ti Andree Comẽdatar^is
de Ãbbrothok Legat^s [1]

The first connection of the Carnegie family with Pittarrow began on the decline of the family of Wishart. King Charles I. granted to David Lord Carnegie, by gift under the Privy Seal, on 30th July 1631, the nonentries of the lands of Pittarrow, with the manor-place, tower, and fortalice thereof, etc., of the lands of Carnebeggs, with the wood called Wishart's Forest, the lands of Woodtouns and mill of Convethe, in the shire of Kincardine, for all the years that the same have been in the hands of the Crown as superior, since the death of Sir John Wishart of Pittarrow, Knight, who last died, or of the deceased Sir John Wishart of Pittarrow, his uncle.[2]

instead of raised, probably through a mistake. 2d and 3d on a chevron, an otter's head erased for Balfour.

[1] Original Precept at Kinnaird.

[2] Original Gift, *ibid.*

About the same time, the lands of Pittarrow, and others above mentioned, were purchased by Lord Carnegie for the sum of fifty-nine thousand merks, or £3277, 15s. 6⅔d. sterling. The price was paid to Mr. James Wishart, then of Pittarrow, who, with his spouse, Elizabeth Bickertoun, and his brother-german, Sir John Wishart, sometime of Pittarrow, Knight,[1] disponed the lands to Lord Carnegie in liferent, and to John Carnegie, his third son, in fee.[2]

On the death of David Lord Carnegie, eldest son of the first Earl of Southesk, Sir Alexander Carnegie, the fourth son, was afterwards provided to Pittarrow. That estate continued to be inherited by his descendants for three generations. Sir James Carnegie of Pittarrow, great grandfather of the present Earl of Southesk, purchased the Southesk estates, as heir-male of the family, as shown in the Memoir of the Pittarrow Branch. The testamentary trustees of Sir James Carnegie sold the estate of Pittarrow to enable them to pay the purchase price of Southesk.[3] Pittarrow was purchased by George Carnegie, a younger brother of Sir James, as is fully stated in the Memoir of George.[4]

The mansion-house of Charleton, near Montrose, which was acquired by George Carnegie in the same year as Pittarrow, was a modern house, built by Mr. Strachan of Tarrie, the former proprietor. It became the principal residence of Mr. Carnegie, who made to it considerable additions.

The old mansion-house of Pittarrow, which now no longer exists, was generally used by the family at that time as a residence for only a few

[1] To this Sir John Wischart of Pittarrow, Knight,—'nobili et generoso juveni,' Dr. John Gordon, who became Dean of Salisbury, dedicated his 'Assertiones Theologicæ pro vera Veræ Ecclesiæ nota quæ est solius Dei Adoratio,' etc., Rupellæ, 1603, 8vo, in which, in referring to the memory of George Wishart the martyr, he represents him as Sir John's *patruus magnus*, grand paternal uncle. Sir John was the son of Sir John Wishart, who was the nephew of Sir John Wishart of Pittarrow, the Comptroller, who again was the eldest son and heir of Mr. James Wishart of Pittarrow, Clerk of Justiciary and King's Advocate. The martyr was probably a younger brother of this last. If so, he was not, as Dean Gordon asserts, the grand-uncle, but the great grand-uncle of Sir John, to whom the Dean's work was dedicated. Knox's Works, vol. vi. pp. 668, 669, where James Wishart is represented as having married Margaret Riccarton, but the real name of the lady was Bickerton.—[Pittarrow Writs at Kinnaird.]

[2] Original Disposition at Kinnaird.

[3] *Vide* p. 211.

[4] *Vide* p. 305.

months in summer. Mrs. Gordon of Knockespock, the only surviving daughter of George Carnegie, remembers that in her youth she resided in it for several months in that part of the year. She also remembers that the house had a very castellated appearance. There were many small turrets in the building. The entrance was vaulted and large, having at the sides stone seats for the accommodation of retainers of the family. The old house, like most other mansions, had the reputation of having its full share of ghosts and evil spirits, who haunted it during the night. Captain John Fullerton Carnegie, having, as the eldest son, on the death of his father, George Carnegie, in the year 1799, become proprietor of Pittarrow, unfortunately gave directions in the year 1802 for demolishing the old mansion-house of Pittarrow, having a more modern residence at Kinnaber, adjoining to Charleton, which was liferented and inhabited by his mother. This was much regretted in the county of Kincardine, as the mansion was a fine specimen of an ancient baronial castle, and might have lasted for centuries to come, as it had lasted for many bygone centuries.

The following description of the discovery of various paintings which had been allowed to remain suspended on the wall of the great hall when it had received a covering of wainscot was given by the late Rev. Dr. Leslie, minister of the parish of Fordoun :—

When the old mansion-house of Pittarrow was pulled down in 1802, there were discovered on the plaster of the great hall, to which access was had by a flight of steps, some paintings in a state of high preservation, the walls having been wainscotted, at what period is not known. The air and dust having thus been excluded, the colours in the paintings were as vivid as if they had been done only a year before. The only one of the paintings that may be noticed here was that which represented the city of Rome, and a grand procession going to St. Peter's. The Pope, adorned with the tiara, in his full robes of State, and mounted on a horse or mule, led by some person of distinction, was attended by a large company of cardinals, all richly dressed, and all uncovered. At a little distance near to where the procession was to pass, and nearly in front of it, stood a white palfrey, finely caparisoned, held by some person, also dressed and uncovered. Beyond this was the magnificent cathedral of St. Peter, the doors of which seemed to be open to receive the procession. Below the picture were written the following lines :—

In Papam:
Laus tua, non tua fraus: virtus non gloria rerum,
Scandere te fecit hoc decus eximium;
Pauperibus sua dat gratis, nec munera curat
Curia Papalis, quod more percipimus.
Hæc carmina potius legenda cancros imitando.

The then proprietor of Pittarrow was totally ignorant of these paintings when he gave orders to pull down the house.[1]

Several oak pannels from Pittarrow House, carved with the armorial bearings of the Wishart family, came into the possession of a cabinet-maker in Montrose as late as the year 1851. He worked them into a cabinet, which was purchased by the late Patrick Chalmers of Aldbar. Mr. Chalmers wrote the following careful explanation of the carvings:—

The coat of arms is three piles, or passion nails, meeting in a point (the tinctures are not shown); the shield has a narrow ledge around it, but too narrow for a border, and it has, most likely, been added by the carver solely for ornament; the shield is surmounted by a tilting helmet, having for its crest what seems to be a feather; supporters, two horses saddled and bridled.

I have a seal of Sir John Wishart of Pittarrow, Knight, attached to a charter by him, dated 10th August 1442; three piles, or passion nails, meeting in a point; crest, a lion passant; no supporters.

Nisbet says that the name of Wishart carried argent, three passion nails meeting in a point, gules.

Wishart of Logie and Wishart of Pittarrow seem to have been the principal families of the name after the extinction of Wishart of Brechin, if indeed this last family ever existed distinct from the others. Mr. John Wishart, a commissary of Edinburgh, purchased the estate of Logie and got his arms registered, argent, three passion nails joining in their points, gules, and distilling drops of blood, proper; crest, an eagle displayed, sable, armed and membered, gules, wounded with an arrow through the body, proper.

William Thomas Wishart, only son and heir of Dr. William Wishart, Principal of the University of Edinburgh, who claimed to represent the family of Pittarrow, got his arms registered by patent dated 22d February 1769, argent, three piles or passion nails, meeting in a point, gules; supporters, two horses argent; saddled and bridled, gules; crest, a demi eagle, wings expanded, proper.

There can be little doubt that the carving in Messrs. Japp's possession represents the arms of Wishart of Pittarrow; crests are assumed and changed at pleasure by those entitled to bear arms, and in early times (much before the date of this

[1] New Statistical Account of Scotland, Parish of Fordoun, vol. xi. p. 81.

carving, however) supporters were often changed so as to distinguish the seals of successive generations bearing the same christened name in a family. The Maules in France, in the 13th and 14th centuries, changed their supporters regularly from father to son, the son generally assuming his grandfather's supporters, as appears from authentic drawings of their stained windows and tombs in the churches of St. Denis and of St. Germain-en-pré. I have not seen a Wishart seal with supporters, but if this carved pannel can be traced to Pittarrow House, it may afford evidence, though of late date, of the right of the family to bear them. The other pannel in Messrs. Japp's possession bears most of the emblems of the crucifixion, and might well have been found in the old house of Pittarrow, pulled down in 1802, the hall of which had been adorned with paintings of religious subjects, afterwards covered over with wooden pannels, or more correctly, perhaps, boxing.

The Wisharts are said to be descended from a natural son of David Earl of Huntingdon, and it is certain that one of his three illegitimate sons had a grant of the lordship of Brechin, and assumed the surname of Brechin, and either gave to, or assumed from it the armorial bearing of three piles, or passion nails, meeting in a point.

While proprietor of Pittarrow, Sir Alexander Carnegie acquired from James Douglas of Stoneypath, in 1649, the lands of Mondynes, then called Moneyethen, in the barony of Moneyethen and shire of Kincardine. With these lands Sir Alexander Carnegie acquired several old charters, two of which, one granted by King David II., and the other by Thomas Sybbald of Monyethen, are printed in the Appendix.[1]

The lands of Balfeith were a part of the estate of Pittarrow, as formed by the Carnegie family. At a more remote period these lands were the property of Umfrid de Berkelcy; and by him they were gifted to the Abbey of Arbroath by a charter, which is without date, but which must have been granted between the years 1204 and 1211. The granter, for the welfare of the souls of the Kings David and Malcolm, and of Earl Henry, father of King William, and for the welfare of the king and queen, and of Alexander, their son, and their other children, and for the welfare of himself, his wife, and heirs, gave and confirmed to the Church of Arbroath, and the monks serving God there, the whole land of Balfeth. The charter narrates that, according to an assize of the kingdom in the presence of Matthew Bishop of Aberdeen and Gilbert Earl of Strathern, by Angus

[1] Appendix, pp. 487, 488, Nos. 37, 38.

MacDunecan and Malbryd Mallod, and Dufscolok of Fetheressau, and Murac, and Malmur MacGillemechel, and Gillecrist MacFadwerth and Cormac of Nug, and other of our lord the king's good men of Angus and Moernes, the land of Balfeth was perambulated for the granter, and was sworn to belong to the land which the king gave him for his homage and service; between the rivulet of Munbodachyn and the water of Beruyn, and as the Beruyn runs on one side and the rivulet of Fewth on the other side when it falls into the Beruyn, and the divisions of the land of the son of Sibald. The charter also grants common pasture of the granter's wood beside the buildings of the monastery, and those of their tenants in that land, and other conveniences of peatery and pasture from his fen of Kirkell and Cuneueth, so that the monks and their men may have grazing for one hundred beasts with their followers, and for as many swine, and as numerous a breed of horses as the monks may choose to have on the foresaid land; and there is also granted to them and their men a right of shealing from Pasch to the Feast of All Saints, for maintaining the foresaid beasts in Tuberlach, Crospath, or Glenferkaryn, as it shall please them. All these grants are to be held in free and pure alms, without any service or exaction whatsoever.[1]

This old charter affords some curious and interesting illustrations, obscure and imperfect though they may be, of the history of the early inhabitants of Angus and Mearns. It is worthy of notice that the names of the jury who sat on the perambulation of the land of Balfeith are all Celtic, whilst the names of the witnesses to the charter are Norman or Saxon, indicating the Celtic descent of the former and the Teutonic ancestry of the latter. This charter also shows the early period at which the boundaries of lands and the minutest circumstances relating to them were fixed.

[1] Liber S. Thome de Aberbrothoc, pars i. p. 60.

THE BARONY AND MANSION HOUSE OF ETHIE,

THE RESIDENCE OF CARDINAL BETOUN, WHEN ABBOT OF ARBROATH, AND NOW OF THE EARL OF NORTHESK.

THE lands of Ethie[1] originally belonged to the Abbey of Arbroath, which was founded and endowed in the year 1178, by King William the Lion, and dedicated to St. Thomas à Becket, Archbishop of Canterbury, who was put to death at the altar of his own Cathedral church on 29th December 1170. To this abbey King William himself was lavish in his benefactions, and the rapidity with which it became enriched with lands, churches, and tithes, bestowed by the barons of the surrounding districts, was characteristic of the age in which it was founded.

Ethie was a part of the many lands, and the church of Ethie, with its plenary tithes, and all its other just pertinents, was one of the many churches in Angus, the Mearns, Mar, Fermartyn, Buchan, and Inverness, amounting to twenty-four in all, which were gifted by King William to that abbey as a free and perpetual alms.[2]

In former times it was customary for monasteries to receive a new charter of confirmation of the lands and churches which they possessed, from every new bishop of the diocese to which they belonged, from every new Pope, and from every new sovereign on his succession. In various new charters of this description granted to the Abbey of Arbroath, the lands and the church of Ethie are mentioned as forming a part of its property.

That abbey being in the diocese of St. Andrews, Hugh, Bishop of that See, after his appointment, which took place in the year 1177, confirmed by a charter, without date, to the church of St. Thomas and the monks thereof, the church of Ethie and various other churches, with their lands,

[1] The name of this property and church has been written in different ways; such as, Athe, Athin, Athy, and Athyn.

[2] The church of Inverkeillor (Inuirkil-eder), to which that of Ethie was afterwards annexed, with its lands, tithes, oblations, and all its pertinents, was gifted to the Abbey of Arbroath, in the reign of King William the Lion, by Walter de Berkley, the King's Chamberlain.—[Liber S. Thome de Aberbrothoc, pars i. pp. 6, 37, 39, 101, 102.]

tithes, oblations, and all their just pertinents.[1] On the 27th of March 1182, Pope Lucius III., in the first year of his pontificate, granted to the same monastery a confirmation of the whole of Ethie by its right divisions, and the church thereof, with other lands and churches.[2] Roger, who was made Bishop of St. Andrews in the year 1188, in an agreement between him and Henry, Abbot, and the Convent of Arbroath, in the year of the nativity of Alexander, son of the then reigning sovereign, William the Lion (1198), quit-claimed the church of Ethie, and various other churches, with their lands and chapels in favour of the foresaid abbot and convent. The same bishop made in their favour a charter, which is without date, but which evidently followed and carried into effect the foresaid agreement.[3] On the 21st of April 1200, Pope Innocent III., in the third year of his pontificate, confirmed to Henry, Abbot of the Monastery of St. Thomas in Scotland, and his brethren, the whole of Ethie and the church thereof, with other churches and lands, as William King of Scots, founder of that monastery, had bestowed them.[4] Between the years 1219 and 1226, William, Bishop of St. Andrews, granted to the same abbey a confirmation of the church of Ethie, with the land on which it was built, and all their just pertinents.[5]

Several years after, when the abbey had obtained numerous munificent donations of lands and churches from the Earls of Angus, Marjory Countess of Buchan, and many others, King William the Lion, whose devotion to its interests continued to the last, confirmed to it, by a charter dated at Selkirk on 25th February, the year not given, but which was probably between 1211 and 1214, all the lands and churches, including Ethie and the church thereof, with its plenary tithes and all its other just pertinents, which he himself and others had gifted to it.[6]

After the death of King William the Lion, his son, Alexander II., who succeeded to the throne in 1214, granted to the Abbey of Arbroath a confirmation, which is without date, of Ethie and the church thereof, with its plenary tithes, etc., and of other lands and churches.[7]

[1] Liber S. Thome de Aberbrothoc, pars i. p. 101.
[2] *Ibid.*, pars i. p. 153.
[3] *Ibid.*, pars i. p. 102, 103.
[4] *Ibid.*, pars i. p. 154.
[5] Liber S. Thome de Aberbrothoc, pars i. p. 105.
[6] *Ibid.*, pars i. p. 4.
[7] *Ibid.*, pars i. p. 71.

The church of Ethie and other churches, with their chapels, lands, tithes, oblations, and all their pertinents, were again confirmed to the church and monks of St. Thomas of Arbroath by David, Bishop of St. Andrews, who was advanced to that see in 1233.[1]

In the year 1249, a misunderstanding having arisen between the Abbot and Convent of Arbroath on the one hand, and the vicars of their churches on the other,—the vicars complaining that sufficient sustentation was not allowed them, whilst the monks asserted the contrary,—David, Bishop of St. Andrews, to settle this dispute, and to remove all ground of contention, made a decree at Arbroath determining what should be the annual income of each vicar. By this decree the vicar of Ethie was to receive the whole dues and offerings belonging to the altar, and in augmentation of vicarage the sum of eighteen bolls of meal annually from the monks of the convent.[2]

On 1st December 1322, Ethie and the church thereof, with its plenary tithes, etc., and other lands and churches, were anew confirmed by King Robert the Bruce at Forfar to the Abbey of Arbroath, as they had been granted by King William the Lion.[3]

The parish church of St. Murdoch of Ethie was situated about a mile north-east from Ethie House, and within a few hundred yards of the sea. During the period of the establishment of the Abbey of Arbroath, that church had its own vicar, and was not therefore served by the monks of the abbey, as is stated by the author of the account of the parish of Inverkeillor, published in the first Statistical Account of Scotland.[4] It was annexed to the parish of Inverkeillor previous to the year 1611. The following notice concerning it occurs in an account of a visitation of that parish on the 22d September in that year. It was found, *inter alia*, that 'thair is ane mans bigget be the present minister, and ane just gleib. 'But the Kirk of Athie, annexed to this parochine, wantis ane gleib. 'Quhairfoir in respect Sir Jhone Carnegie, heritour of the lands of Athie, 'is but laitlie returned into the cóuntry, it wes thocht meitt that my Lord

[1] Liber S. Thome de Aberbrothoc, pars i p. 121.

[2] *Ibid.*, pars i. p. 169.

[3] *Ibid.*, pars ii. p. 539.

[4] Several presentations to the vicarage of the parochial church of St. Murdoch of Ethie, granted by the Abbot of Arbroath between the years 1489 and 1534, are recorded in the Cartulary.—[*Ibid.*, pars ii. pp. 261, 271, 520.]

'Archbishop wreitt to him, that he may willinglie grant ane gleib befoir 'any designatioun be.'[1]

A portion of the walls of the old church of Ethie still stands on what is now a part of the farm of the South Mains of Ethie. Around the church is enclosed the old burying-ground, which is of small extent and of a triangular form.

The patronage of the church of Ethie was held by the Abbey of Arbroath till the period of the erection of the lands of that abbey into the temporal lordship and barony of Arbroath, in favour of James second Marquis of Hamilton. The patronage of this church was afterwards acquired by the Earl of Panmure. On the forfeiture of the Earl of Panmure in the year 1716, the patronage of Ethie was vested in the Crown, by which it is still retained.

The lands of Ethie included the Mains of Ethie, Burntown of Ethie, Over and Nether Greens of Ethie, the Mill of Ethie, and the Haven of Ethie. Whilst these lands continued the property of the Abbey of Arbroath, which was till about the middle of the sixteenth century, the administration of them formed a part of the official duties of the abbot, and the records of their management by him illustrate the territorial condition of the province, exhibiting, among other particulars, the then value of the rentals of lands, which were mostly paid in kind—in corn and other produce of the farm, payment in money having been only gradually substituted as agriculture improved and money became more abundant.

The haven or port of Ethie was valuable chiefly, if not wholly, from the facilities and advantages which it afforded for the trade of fishing. In the year 1506, the Abbot and Convent of Arbroath granted to Thomas Lord of Innermeith and Baron of Inverkeillor, by an indenture made between them, the free use of that haven for fishing purposes during his lifetime. The indenture is as follows:—

This indenture, maid at Abbirbrothoc the aucht day of the moneth of September, the zeir of God a thousand fywe hundreth and sex zeiris betuyx ws, George, be the

[1] Selections from the Minutes of the Synod of Fife, 1611 to 1687. Printed for Abbotsford Club, 1837, p. 42.

mercy of God Abbot of the Abba of Abbirbrothoc, and the Conuent of the sammyn, on ae part, and Thomas Lord of Innermeith, and Baroun of Innerkeilair, on that othir part, proportis and beiris vitnes in maner and forme as eftir folowis; that is to say, We, George Abbot forsaid, with the consent of our conuent, for hartly lufe we hawe to the said Lord Thomas, of oure fre wil gifis licens to the said Thomas Lord to bryng a fysche boit in our hawyne of Aithy for al the dais of his lywe, and his fyschairis to pas and repas thairto wyth thair stuf and geir syk as gannys thaim, and to la thair ankiris upon land, towis hyng, and dry nettis, to tak fysche and al other necessair thyngis to do, vse, exers, and hant neidful to fyschyng craft and sawing of the boit and geir, quhilk vse sal induce na possessione to the said Lord of Innermeith, nother grund rycht nor seruitute, bot salbe always wythout preiudice or hurt tyl ws, our conuent and place of Abbirbrothoc, and oure successouris eftir the deid of the said Thomas Lord.—In witnes heirof, to ae part of this indenture, to remane wyth ws and oure conuent, the seil of Thomas Lord forsaid is appendit; and to the part of this indenture to remane wyth the said Thomas Lord, we haif appendit the commoun seil of oure chapture, zeir, day, and place forsaidis, befor thir vitnes, Mastir Hew Douglace, dene of Brechyn; Alexander Hepburn of Quhitsun; Adam Hepburn of the Cragis, knycht; Alexander Guthre of that ilk; James Hay of Nachtane, knychtis; Robert Gray, sone to the Lord Gray; John Ogilvy of the Crage; Mastir Dauid Carale, and Mastir James Farchair, notairis, wyth otheris diuers.[1]

On 24th September 1528 the same privileges connected with the haven of Ethie as a fishing-place were granted by the Abbot and Convent of Arbroath by indenture to Richard Lord of Innermeith, Margaret [Lindsey], his spouse, and John Stewart, their son, and fiar of the lordship of Innermeith during their lives, 'for vtilitie and profeit done and gevin tyl ws and our conuent.'[2]

The superiority of the lands of Ethie, as well as the lands themselves, was farmed out by the Abbey of Arbroath. On 26th June 1485, when the lordship of Aberbrothoc was let to divers husbandmen for certain sums of money to be paid for the redemption of bulls obtained by the abbey in the Court of Rome, the lordship of Ethie was let to George Clerk, William Fermour, and others.[3] And on 2d October 1505 the lands of Kirkton, in the regality of Arbroath, with the Murfald and toft of St. Vigeans, etc., were let to James Boyis, Isobel Baldowy, his spouse, and Thomas Boyis,

[1] Original Indenture at Ethie.

[2] Original Indenture, *ibid.*

[3] Liber S. Thome de Aberbrothoc, pars ii. p. 222.

their son, for their lifetime, in commutation for the lordship of Ethie, which they had formerly possessed in assedation by the abbot and convent.[1]

In the year 1549 the lands of Ethie became the property of Robert Carnegie of Kinnaird, the first of the Carnegie family who acquired them; and ever since they have continued in the possession of his descendants, although chiefly in a collateral branch. He obtained from James, Abbot of Arbroath, a charter of these lands, dated 13th February that year. These lands were thus his property at the period of the Reformation, when the church lands of the Abbey of Arbroath, to which they had so long belonged, were, like those of other monasteries, annexed to the Crown.

Sixteen years after he had acquired the lands of Ethie, Sir Robert Carnegie obtained from Queen Mary a charter, dated 6th April 1565, erecting them into the barony of Ethie.[2] When King James VI. had reached the age of twenty-five years, Sir John Carnegie of Kinnaird, who inherited Ethie on the death of his father, Sir Robert, obtained, on his own resignation, a charter from the king, dated 2d November 1591, by which the lands and barony of Ethie, and the lands of Cuikston, Addicat, Balskellie, Middle Drums, and Greenden were erected into one free barony or tenandry, to be called the tenandry of Cuikston.[3] That charter is in favour of Sir John Carnegie in liferent, and his brother-german, David Carnegie of Colluthie, and the heirs-male of his body in fee; and it records the good services which Sir John and his brother, David Carnegie, had rendered to the Crown.

On the death of Sir John Carnegie, his brother David succeeded to the barony of Ethie. To this barony David provided his second son, Sir John, afterwards Earl of Ethie and Northesk. David, the fourth Earl of Northesk, obtained from Queen Anne, on 25th April 1707, a charter, by which the barony of Ethie, with other lands, was erected into the territorial EARLDOM OF NORTHESK and LORDSHIP and BARONY OF ROSEHILL, and which ordained that one sasine, to be taken at the manor-place of Ethie, should be sufficient for the whole lands.[4]

[1] Liber S. Thome de Aberbrothoc, pars ii. p. 354.

[2] Original Charter at Ethie.

[3] Reg. Mag. Sig. Lib. xxxviii. No. 249.

[4] *Ibid.*, Lib. lxxxiv. No. 4.

The mansion-house of Ethie is beautifully situated near the coast, in the south part of the parish of Inverkeillor. It is surrounded with numerous old trees, and commands an extensive and varied prospect. It is near a remarkable promontory, the *Rubrum Promontorium* of the ancients, and now known as the Red Head, which is seen at a great distance, and abounds with sea-fowl. Sir Walter Scott, in his novel 'The Antiquary,' is supposed to describe Ethie House under the name of Knockwinnoch, and the Red Head and other crags on the rocky coast of that part of the country under the names of Halket Head and Ballyburgh Ness Point.[1] Ethie House is of considerable antiquity. It has been said that it was built by Cardinal Betoun; but for this affirmation there is no adequate authority. It is, however, certain that it was a favourite residence of the Cardinal while he was Abbot of the Monastery of Arbroath. He had several mansion-houses in Angus, but Ethie was the one nearest the great abbey.

After the murder of the Cardinal, which was perpetrated in his castle at St. Andrews on 29th May 1546, Margaret Betoun, one of his natural daughters by Marion Ogilvie, Lady Melgund, laid claim to the furniture in the mansion-house of Ethie, if not to the house itself. In the year 1547, she and her husband, David Master of Crawford, summoned Patrick fifth Lord Gray and his brother James Gray, to appear before the Queen and Council to answer for their wrongous and masterful spoliation by themselves and their accomplices of the Place of Ethie and the house thereof.[2]

The house of Ethie, although considerable additions appear to have

[1] *Vide* pp. 295, 296.

[2] Summons, dated 5th July 1547, at Kinnaird. Not long after this Lady Melgund got into trouble for 'falsit.' This falsity, it appears, consisted in her having added certain words in letters which had passed under the Royal Signet. To escape the penalties of this crime, she fled, and was denounced rebel, and put to the horn. She concealed her moveable goods in different houses and lockfast 'lwmys' (vessels or tubs). A warrant was granted, at the instance of John, Archbishop of St. Andrews, as Treasurer, to open doors and kists, and to charge all and sundry lieges, havers, and resetters of the said goods, to deliver the same to the Treasurer for the Queen's use, under severe paius.—[Original Discharge, dated 26th February, eighth year of Queen Mary's reigu (1549), at Kinnaird.] In 1552, Robert Carnegie of Kinnaird was named one of the procurators, by Marion Ogilvie of Melgund, for resigning the lands of Abdene, Kithyuess, in the barony of Rescobie, for a regrant to her natural sons, David and John Betoun.—[Original Procuratory at Pitcur.]

been made to it by the first and sixth Earls of Northesk, is still very much in the same state in which it was when occupied by Cardinal Betoun. In the year 1848, a manuscript, which probably belonged to the Cardinal, was found in a closet at Ethie. This manuscript, the handwriting of which is not later than the middle of the reign of Alexander III., consists of fragments of the original Register of the Abbey of Arbroath. It was immediately communicated by the Earl of Northesk to the editors of the Cartulary of that abbey. With the assistance of this manuscript, the Registrum Vetus has been printed with greater accuracy than it would have been, had it been printed, as originally intended, from the manuscript in the Advocates' Library, which is supposed to be a transcript of the register discovered at Ethie. A portion of these fragments,—a leaf relating to an early taxation of Scottish benefices, and two leaves of Statuta Concilii Scoticani,—though imperfect, are interesting and important, as throwing light on ancient ecclesiastical law in Scotland, and correcting and enlarging the information given by Lord Hailes in his 'Canons of the Church of Scotland,' and 'Historical Memorials concerning the Provincial Councils of the Scottish Clergy,' Edinburgh, 1769.

A mansion-house of such antiquity as that of Ethie, and possessing so many historical associations connected especially with a character so celebrated as Cardinal Betoun, could not fail, like other old castles, to gather around it many singular traditions, which have passed down from one generation to another, and which even at the present day are articles of faith at Ethie. As a specimen, it may be mentioned that it is still reported, as an indisputable fact, that at a certain hour of the night, a sound is heard resembling the tramp of a foot, which is believed to be the Cardinal's, and is popularly called his *leg*, walking very deliberately up and down the original stone stair, which still connects the ground flat with the second storey of the house.

The haunted room, which is in one of the attics, has long been unoccupied. It is always kept locked, and few have been privileged to enter it. By the kindness of Lord Northesk, the writer was allowed to explore this mysterious apartment. He found a veritable trace of the Cardinal in the form of a large oak cabinet, the only article of furniture in the room.

It is a fixture, the back of it being the right-hand side of the staircase. The front of the cabinet is beautifully carved. Similar carvings are to be seen in the Cathedral of Aberdeen, which was built by Bishop Elphinstone, and on the doors of the rude screen in the church of Easter Foulis, in Perthshire. The carvings at Aberdeen and Foulis are probably older than those in the cabinet at Ethie.[1]

Cardinal Betoun's chapel adjoins the mansion-house of Ethie on the east, and is now used as a store-room by the family of Ethie.

THE BARONY OF REDCASTLE,

FORMERLY THE PROPERTY OF THE EARL OF NORTHESK.

THE barony of Redcastle, including the castle itself, was acquired by Sir John Carnegie, afterwards first Earl of Northesk, in the year 1621. He obtained from King James VI. a charter of the barony, dated 17th November that year. The charter followed on the resignation of the barony by William second Earl of Tullibardine, the former proprietor. The barony is therein described as the barony of Redcastle, Coghollis, *alias* Inverkeillor, with the castle, tower, fortalice, and manor of Redcastle, *alias* Inverkeillor.[2]

The castle, which is one of the oldest castellated ruins in Angus, is situated in the parish of Inverkeillor, at the influx of the river Lunan into the German Ocean, on an eminence which rises almost perpendicular on the side of the sea. According to tradition, it was built by William the Lion for the purpose of preventing the incursions of the Danes, who had repeatedly landed in the bay of Lunan, and was also used by him as a hunting seat.[3] Many of the local names in the district favour the tradition that it was a royal residence. The eminence on which it stands was well adapted for the erection of a place of strength; and commanding the whole

[1] There is an engraving of Ethie House in 'Forfarshire Illustrated,' published by Gershom Cumming, engraver, Dundee, 1843, p. 72.

[2] Reg. Mag. Sig. Lib. l. No. 80.

[3] Ochterlony says that King William, when he built the Abbey of Arbroath, dwelt at Redcastle.—[The Spottiswoode Miscellany, vol. i. p. 342.]

of Lunan Bay, being nearly in its centre, it supplied the means of very effectively resisting an enemy, who might attempt to land, and of affording protection to the surrounding country. The castle was of small dimensions, but its walls were thickly and very firmly built, and it was surrounded by a strong rampart of considerable height.[1]

Walter de Berkeley, Chamberlain of Scotland, obtained from King William the Lion the lordship of Inverkeillor, but whether this was before or after he had acquired Redcastle is uncertain. Walter de Berkeley was succeeded by an only daughter, who was heiress to his estates. She married Ingleram de Baliol, Lord of Bernard Castle, who was the first of the family of that name in Scotland.[2] The eldest son of that marriage was Henry de Baliol, who inherited the Redcastle.. He also obtained the office of Chamberlain of Scotland, which was held by his maternal grandfather; and he retained it from the year 1224 to 1231, when it was conferred on Sir John Maxwell of Carlaverock. John de Baliol, grandson of Ingelram de Baliol, married Dervorgilla, eldest daughter and co-heiress of Allan Lord of Galloway. Of that marriage was John Baliol, Lord of Galloway, and for some time King of Scotland. To trace the subsequent owners of Redcastle previous to the first Earl of Northesk is unnecessary in this work. It often changed proprietors; and for a considerable time it was held by the Lords of Innermeath, who were also proprietors of Inverkeillor and Lunan. During their occupancy of Redcastle many striking incidents occurred, particularly an attack on the castle in 1579 by Andrew Gray of Dunninald, a neighbouring proprietor, who besieged the Lady Innermeath in Redcastle.

[1] The castle continued in a fair state of preservation till the year 1748, when it was rendered roofless and otherwise injured by the removal of the slates and joists to Panmure. After this the neighbouring tenants were allowed to make free use of its stones; and the difficulty they found in separating the fragments proved the strength with which it had been built. In Grose's Antiquities of Scotland (vol. ii. p. 263), a view of Redcastle is given from a drawing executed in the year 1790; and the dilapidated appearance which it presented at that time corresponds very much with its present state. Its ruins now consist of the three sides of a small square tower, four storeys high, and a part of the old ramparts. There is a later view of Redcastle in 'Forfarshire Illustrated,' published in 1843, by Mr. Gershom Cumming.

[2] Crawford says that it was this marriage, and the acquisition of Redcastle, which first gave the Baliols a footing in Scotland. —[Officers of State, p. 253.]

The last inhabitant of the Redcastle was the Rev. Mr. Rait, of the family of Rait of Halgreen in the Mearns, who, at the Revolution in 1688, was Episcopal minister of Inverkeillor. When deprived of his living, he took up his residence in the square tower of Redcastle; and he continued to perform religious services for the parishes of Inverkeillor and Lunan.

Evidences that Redcastle was a feudal or baronial residence still exist in the names of the places immediately around it, which are evidently to be traced to what were the usual appendages of such residences. The Court Hill, in the adjacent parish of Lunan, was the place where the baron of Redcastle held his feudal courts. On the farm of Court Hill were two forts, called respectively Tappy Castle and Fast Castle, no part of which now remains. The dwelling-house of the farm of Court Hill was a building of great strength, and the walls were nearly as thick as those of Redcastle.

Fast Castle is supposed to have been the warding or prison-house of the Redcastle, and an excavation in the bottom of the Redcastle, twenty-five feet deep, was also used as a prison for criminals. So dismal was this dungeon, that when any of the fishermen of Auchmithie had made themselves amenable to imprisonment by the Earl of Northesk as their feudal lord, they entreated him to throw them over the Red Head, rather than confine them in the pit of Redcastle.[1]

The Hawk Hill bespeaks the place of keeping the falcons.

The Gallows Hill of Redcastle, the place for the execution of criminals, stood on the farm of Ironshill, which is merely another name for Gallows Hill, criminals having been often executed in chains. This hill, which may still be seen with considerable distinctness, is said to be as complete a specimen of the ancient Gallows Hill as now exists.

The two Witch Pools of Redcastle in Lunan Water are still to be traced. The one stands a little to the south of the Gallows Hill, and the

[1] In the year 1705 the fishermen of Auchmithie deserted Auchmithie, and took up their residence in Arbroath, where they were employed by the magistrates. Lord Northesk complained of their conduct to Sir James Stewart, then Lord Advocate, who gave it as his opinion that they should not be allowed to transport themselves from one master to another, and that they might be reputed in the same condition as colliers and salters.—[Original Letter at Ethie.]

other a short distance to the west of Redcastle. The name too plainly points out the use to which these pools had been applied. Gibbets were used for the male criminals, and draw-wells for the female. If, when thrown into the well, the female sank, she was deemed innocent; if she floated or swam, she was held to be guilty. But in either case her doom was previously settled.

A little to the north of Keillor Head is an artificial mound, called Corbie Knowe, which is supposed to be the remains of an old Danish camp. Vestiges of several other Danish camps are mentioned in old accounts of the district as existing, but owing to the cultivation of the soil, they can hardly be said now to remain. The raven, which in the Scottish language is the corbie, was the emblem on the ensign of the Danes; and it is said that, when they landed in the bay of Lunan, they erected their standard on the place which, from that event, has since been known as Corbie Knowe.[1]

After having been upwards of a century in the Northesk family, Redcastle was sold by David the fourth Earl. It was a cherished possession of the family, and the Earl was very unwilling to part with it. His sister, the Duchess of Montrose, refers to his disappointment at his being unable to retain it.[2] The purchaser of Redcastle was the Earl of Panmure; but it was forfeited to the Crown for his accession to the rebellion of 1715. It was purchased from the Crown by the York Buildings Company, and when the estates in Scotland which belonged to that Company were sold in 1763, it was repurchased by the then Earl of Panmure, along with the other estates which were formerly the property of that family.

From an old memorandum at Ethie, it appears that there was an understanding between the Earl of Panmure and George sixth Earl of Northesk, to the effect, that if the latter would not bid against the former at the public sale of Redcastle, he would have it at the purchase price. Lord Panmure, however, refused to give up his purchase, except on the receipt of a large additional sum.

[1] Not far from this spot is a farm-house, which bears the name of Denmark. But whether that name was given to it at a remote period or more recently we have not ascertained.

[2] *Vide* p. 387.

Adjoining the barony of Redcastle on the north is the barony of Lunan, in the parish of that name. That barony has also belonged to the Northesk family for a considerable period. They acquired with it several early charters of the lands of Lunan, two of which are printed in the Appendix,[1] from the originals preserved at Ethie House.

THE BARONY OF BOYSACK.

THE lands of Boysack,[2] in the parish of Inverkeillor and county of Forfar, were formerly a part of the territorial possessions of the Abbey of Arbroath. Pope Honorius III., on 13th May 1220, confirmed to that monastery the lands of Boysack and various others.[3] They afterwards became the property of Henry of Fethye, whose name and designation from them appear on an Inquest, who, on 21st July 1450, gave their judgment before the Sheriff-depute of Forfar in favour of the right of the inhabitants and citizens of Brechin to hold a weekly market.[4] He is also mentioned in a declaration regarding the redding of the bounds and marches of the lands of Menmuir, between the Bishop of Brechin and John of Collace, dated 12th and 13th October 1450, as one of those who assisted in a perambulation of the same lands.[5] Somewhat more than a century later, the lands of Boysack came into the possession of the Earl of Argyll. On 10th December 1566 a charter was granted by Alexander, Bishop of Brechin, to Archibald fifth Earl of Argyle, of these lands, with the mill lands thereof, and the salmon-fishings in the water of Southesk.[6]

The lands of Boysack were afterwards acquired by Alexander Lindsay, youngest son of David tenth Earl of Crawford, on whom King James VI. conferred the title of Lord Spynie. On 16th July 1621 that Sovereign granted a charter to Alexander Lord Spynie, whereby the lands and

[1] Appendix, Nos. 26, 43.

[2] The name Boysack has been variously written: Baleisaac, Balesok, Ballesok, Ballysack, Balyesok, Esakistoun, Esauxtoun, Esawxtoun, Esaxtoun, Isakstoun.

[3] Liber S. Thome de Aberbrothoc, pars i. p. 158.

[4] Registrum Episcopatus Brechinensis, vol. ii. p. 79.

[5] *Ibid.* vol. i. p. 147.

[6] *Ibid.* vol. ii. p. 207.

town of Boysack, with the manor-place thereof, and other lands, were erected into the lordship and barony of Spynie; and the manor-place and fortalice, anciently called Ballysack, was ordained henceforth to be called Spynie, and to be the principal messuage of the lordship and barony of Spynie. From this charter it is evident that the mansion-house of Boysack then existed; but when it was first built is uncertain.

The lands of Boysack were subsequently acquired by Sir John Carnegie, who became Earl of Ethie, and afterwards Earl of Northesk. In the contract of marriage entered into in 1637 between David Carnegie, afterwards second Earl of Northesk, and Jean Maule (of Panmure), his father, Sir John Carnegie, agreed to build a sufficient dwelling-house for them upon the lands of Court Hill, in the parish of Lunan, and in the meantime to give the lady the house and mains of Boysack, to be laboured with her own ploughs till the new house was built.[1] After this the lands of Boysack were bestowed by the Earl of Ethie (formerly Sir John Carnegie) on his second son, Sir John Carnegie, Knight; upon which these lands were separated from the barony of Spynie and erected into a new barony, to be called the barony of Boysack, by a charter by King Charles II., under the Great Seal at Edinburgh, 28th July 1665, to Sir John Carnegie of Boysack, Knight, second son of John Earl of Ethie, and the heirs-male of his body; whom failing, to the heirs-male of the Earl and Sir John; and the tower, fortalice, and manor-place of Boysack were thereby ordained to be the principal messuage of the new barony.[2]

John Carnegie, the second laird of Boysack, elder son of Sir John, acquired the lands of Kinblethmont from Sir John Wood of Bonnyton in 1678. He had issue two children: a son, John, who became third of Boysack, and a daughter, Margaret, who married, in June 1711, John Fullarton of Fullarton, in the shire of Perth. Margaret had by her husband a son, William Fullarton of Fullarton, and a daughter, Jean, who became the wife of Sir John Wedderburn of Blackness, Baronet. Sir John was a keen Jacobite, and was present as a volunteer in Lord Ogilvy's regiment at the battle of Culloden. He was taken prisoner, and was attainted and executed at Kennington Common on 28th November 1746. A very interest-

[1] Copy Contract at Ethie. [2] Original Precept on Charter in Boysack Charter-Chest.

ing letter which he wrote to his lady on the day before his execution may be here inserted :—

Southwark Goal, 27th November 1746.

My Dearest,—By the time this comes to hand, I shall be no more. I hope God, who has given me patience to bear with a great many hardships hitherto, will support me to the last. The greatest I have now to undergo is the thoughts of parting with you and my children; and if it is so at this distance, it must have been much more so had you been here. I pray God support you under this affliction. I received yours of the 13th, which affected me much, but if you'll recolect a litle, you'll be at more than ordinary pains about yourself: Consider, if anything ail you, what will become of your children. The Presbiterian minestrs attestation came to hand, but never any thing came from that airth without a sting in the tail of it: I believe it has neither done me good nor harm. As to interest used for me, Mr. Wedderburn and his lady has been at a world of pains, and realy procured great folks, but it seems I was among the number of the Elect, and not to be parted with. The Duke of Cumberland was present at the Councill, who determined the thing, and you may belive wou'd soon overballance any interest. As for G. Anstruther, I don't know what he has done, nor Mr. Jo. Maule. I don't know any thing they have done, but as you have wrote me. There is one thing I'll recommend to you, tho' I belive it's needless, that is to instill into my children, male and famile, a just sence of what our country has suffered in generall, and I in particular. The eldest has it. I wou'd write to a good many of my friends and acquaintance, but I am now scrimped with time, being to die to-morrow, and to prevent any application, it is not yet intimate to us, for I have learned it by the by. Make my compliments to your brother and his lady, of whose friendship I am very sensible. I wou'd likewise have wrote Peggie, whose situation gives me a great concern; but have nothing to say but God bless her.—I am, my dearest life, your most affectionate husband.[1]

Sir John Wedderburn was executed on the very spot where the altar of Kennington Church now stands.

James Carnegie, the fourth laird of Boysack, was the last male Carnegie of that family. Like his relative, Sir John Wedderburn, he was an ardent Jacobite, and acted as private secretary to Prince Charles Edward during his expedition in Scotland in 1745. The flaxen wig, the tartan coat of antique cut, and the walking-staff used by the Prince while wandering in the Highlands after the battle of Culloden, are still to be seen at Kinbleth-

[1] The letter is written on half a sheet of quarto letter paper, and has neither signature nor address.—[Original at Kinblethmont.]

mont. These articles Mr. Carnegie received from the Prince after his escape to France, and they have ever since been carefully preserved as heirlooms in the Boysack family.

After the acquisition of Kinblethmont the family preferred the mansion of that name as a residence to Boysack House, which was allowed to go to ruin. Only a part of one of the walls of the old house now stands. At a place called Chapelton, situated in the barony of Boysack, nearly three miles west from the old church of Ethie, are the remains of the old chapel of Whitfield, which is still used as the burial-place of the family of Boysack.

James Carnegie, the last heir-male of Boysack, left an only daughter, Stewart Carnegie, who married her cousin, Colonel William Fullarton of Fullarton, who, on claiming the title of Lord Spynie, assumed the name of Lindsay, by whom she had an only child, James. Her father entailed the estates of Boysack and Kinblethmont on this child, who, according to the deed of entail, assumed the name and designation of James Fullarton Lindsay Carnegie of Boysack, etc.

The present laird of Boysack, and representative of the Carnegies of Boysack, is Henry Alexander Fullarton Lindsay Carnegie. He is also the heir-male of the ancient family of Fullarton of that Ilk, in the county of Perth, and the heir-general of the Lindsays, Lords Spynie.[1]

BALNAMOON AND ITS LAIRDS.

The barony of Balnamoon, which is situated in the parish of Menmuir and county of Forfar, formerly belonged to the family of Collace, who enjoyed it for a considerable period. One of that family acquired some historical note for the part he took, at the battle of Brechin in 1452, against his superior, the Earl of Crawford, which is said to have turned the tide of victory against the Earl. His son, Thomas of Collace, was on the side of King James III. at the battle of Blackness, for which he re-

[1] Pedigree of the Carnegies of Boysack, *infra*, p. 429.

ceived from the King, on 17th May 1488, a grant of half of the foggage, with the vert and venison, of the Forest of Kilgery. This grant was produced by the present Earl of Crawford in support of his claim to the Dukedom of Montrose, which was created at the same time that the above grant of Kilgery was made. His Lordship maintained that both these grants were valid, notwithstanding the rescissory acts of King James IV. But this argument was not sustained by the House of Lords.

The last of the family of Collace who possessed the lands of Balnamoon was John Collace, who, on 18th August 1632, was served heir of his grandfather, John Collace of Balnamoon, in half of the lands and barony of Menmuir, including the lands of Balnamoon and others.[1] On a stone built into the back of the present mansion-house of Balnamoon, are carved the initials of John Collace, probably the grandfather of the last proprietor, with the date of '1584.'

The lands of Balnamoon, not long after John Collace had made up a title to them in 1632, became the property of the Carnegie family. Sir Alexander Carnegie, Knight, youngest brother of the first Earl of Southesk, acquired them between the years 1636 and 1641. He also acquired, at different times, the lands of Over and Nether Caraldstoun, now Careston, Pitforthie, and Balnabreich. Sir Alexander was for some time designated of Balnabreich, and also of Vayne. This last designation appears to have been taken from the castle of that name, which is the principal mansion of the barony of Fearn. The lands of Careston, Pitforthie, and Balnabreich originally formed part of the parish of Brechin; but the inhabitants and tenants of these lands being more than three miles distant from the church of that parish, Sir Alexander at his own expense built, in 1636, a church upon the most convenient place on the lands of Careston, called the Church of Careston, which was allowed and approved by the General Assembly, held at Edinburgh in 1639. He also provided in perpetuity, for the minister of that church, a manse and glebe, and mortified 4000 merks Scots, the annual rent of which was to be stipend for the minister. The teind sheaves of the lands above mentioned, extending yearly to 45 bolls, and two firlots of victual, two parts meal and a third part bear,

[1] Inquis. Retor. Abbrev. Forfar, No. 210.

and £45 Scots, had been part of the emoluments of the bishops of Brechin, but on the overthrow of episcopacy in 1638, they fell to the Crown; and on 29th October 1641, a royal grant was made of the teinds of Over Careston, Pitforthie, and Balnabreich, to the Kirk of Careston.[1]

Though the church of Careston was built in 1636, it was not till several years after, that Sir Alexander Carnegie obtained the disjunction of these lands from the parish of Brechin, and the erection of them into the separate parish of Careston. In the General Assembly of 1638, the erection of this new parish was strenuously opposed by Mr. Lawrence Skinner, minister at Navar, for himself and for Patrick Maule, of Panmure, and also by the commissioner from Brechin; but the Assembly 'appointed and ordained the inhabitants of the saids lands to repair 'to the newe kirk built be the said Sir Alexander vpone the saids lands 'of Carrestoun, as thair paroche kirk in all tyme thairefter, for divine 'service, receaveing of the sacraments, and to vse the kirk yaird thairof for 'buriell of thair dead.'[2] And in the year 1641, Sir Alexander, after considerable trouble and expense, succeeded, with the consent of the minister of Brechin, in obtaining from Parliament an Act in favour of the erection, and also a ratification of the mortification made by King Charles I. of the teinds of the lands of Careston and other lands, erected into the new parish, for the sustentation of the minister and his successors in that charge.[3] This was only one of several useful measures which Sir Alexander originated and carried through for the benefit of the district in which he resided. The following is the testamentary deed which he executed shortly before his death:—

I, Schir Alexander Carnegy of Balnamoone, being seik in bodie, but heall in spirit and mynd, praysed be God! and knowing, as of all things death to be most certane, so the tyme and place thairof to be most wncertan, doe, thairfor, make this my testament and latter will as after followis:—In the first, I recomend my soull to the Almighty God, howping to be sawed throw the righteous merits of Jesus Chryst my only Sawiour; and ordaines my corps to be buryied amongst the faithfull in my

[1] Registrum Episcopatus Brechinensis, vol. ii. p. 311. The facts stated in the text are narrated in the preamble of this royal grant.

[2] Acts of Parliament, vol. v. pp. 568, 569.

[3] *Ibid.*, vol. v. pp. 568, 569.

own buriall place at the kirk of Caroldstoune. *Item*, I nominat my onlie sone, Schir John Carnegy, my only executor, wniwersall intromettor, and solc legator (he paying my heall debts and legacie following), with full pouer to him to give up inventar of my heall goods, gear, and debts, confirme the samen, vse and dispon thairvpon at his pleasure. *Item*, I leave in legacie to Euphan Blair, daughter to Blair, the soume of 1000 merks Scots money, quhilks I ordain my said sone and executor to pay to her at his awin conweineance betuixt and Witsonday 1660 years at fardest, and if he sall detain the samen longer, (in her option), to pay annualrent thairfor. *Item*, to the said William Ramsay, 1000 merks vpon the samen termes: And to John Bain, wretter, for his paynes 100 pounds, at these termes also. And I hearby rewock all other testaments, and ordaines this onlie testament as my last.—In witnes wherof thir presents ar written be John Baine, Wretter to the Signet, and subscrivit with my hand, day, year, and place forsaid [Edinburgh, 25th August 1657] befor thir witness, Mr. John Ayttone, Esquire, and the said John Baine, at my desyre, wretter of thir presents. Subscriuit thus, Sr. A. Carnegy, Balnamoone; Jo: Aytoun, *witnes*, Johne Baine, *witnes*.[1]

A full pedigree of the Carnegies of Balnamoon is given in a subsequent part of this work,[2] which renders any separate account of the family unnecessary.

James Carnegie, sixth Laird of Balnamoon, the great-grandson of Sir Alexander, married, in 1734, Margaret Arbuthnott, heiress of the estate of Findourie, in the county of Forfar. Mr. Carnegie added the surname of Arbuthnott to his own, and the subsequent lairds of Balnamoon have followed his example.

In the stirring year 1745, the same laird zealously espoused and valorously supported the cause of the exiled family of Stuart. He was appointed Governor of Forfarshire on behalf of Prince Charles. He fought at the battles of Preston, Falkirk, and Culloden. The fortunes of battle having gone against Prince Charles on the field of Culloden, the laird found it necessary to retreat; and to secure his personal safety he fled to the mountains of Glenesk. In a large cave which had a small entrance, near the foot of Curmaud Hill, in the valley of Glenmark, which is still called 'Bonnymoon's Cave,' he long found shelter, with the connivance of

[1] Original Extract Confirmed Testament at Kinnaird. Portraits of Sir Alexander Carnegie, and of his three brothers, are among the family portraits at Kinnaird.

[2] *Vide* p. 431.

the neighbouring tenants. The farmer of Glenmark, and many of the inhabitants, who like himself were Jacobites, knew that this was his hiding-place, and they welcomed him to their houses whenever he could come with safety; nor could they be tempted by the hope of reward to inform against him. On a cold rainy day, when he had ventured to go to the farm-house of Glenmark, a party of soldiers entered the house in search of him as he was sitting at the kitchen fire disguised in the dress of a poor hind. The farmer with much address diverted suspicion from Balnamoon by gruffly ordering him to go and clean the byres, while he ordered the best entertainment he had to be given to the soldiers.

From the prominent part which he acted in 1745, this Laird of Balnamoon is commonly called the 'Rebel Laird.'[1] Many anecdotes relating to his good humour and conviviality, for which he was conspicuous throughout a long life, have been current; but some of them are certainly apocryphal. The absurd story of his having cut, or rather *sawed* down, the valuable books in his library to suit the size of his book-shelves has been completely disproved. He is commonly considered as the author of the popular ballad, 'Low down in the Broom,' but this has not been authenticated.

A learned prelate of the Scottish Episcopal Church has recorded of this Laird, that on one occasion, in his cups, he mounted a stone wall and spurred his fancied steed the livelong night.[2]

Another divine of the same Church, Dean Ramsay, in his amusing 'Reminiscences of Scottish Life and Character,' has enlivened his pages with various anecdotes of this laird.

'A facetious and acute friend, who rather leans to the Sydney Smith view of Scottish wit,' says the Dean, 'declares that all our humorous stories are about lairds, and about lairds who are drunk. Of such stories there are certainly not a few, one of the best belonging to my part of the country; and to many persons I should perhaps apologize for introducing it at all. The story has been told of various parties and localities, but there is no doubt that the genuine laird was a laird of Balnamoon (pronounced in the country Bonnymoon), and that the locality was a wild tract of land not far from his place, called Munrimmon Moor. Balnamoon had been dining out

[1] *Vide* p. 304. [2] 'Angus' in the Edinburgh Review for Oct. 1864, vol. cxx. p. 334.

in the neighbourhood, where, by mistake, they had put down to him after dinner cherry brandy instead of port wine, his usual beverage. The rich flavour and strength so pleased him that, having tasted it, he would have nothing else. On rising from table, therefore, the laird would be more affected by his drink than if he had taken his ordinary allowance of port. His servant Harry, or Hairy, was to drive him home in a gig, or whisky, as it was called, the usual open carriage of the time. On crossing the moor, however, whether from greater exposure to the blast, or from the laird's unsteadiness of head, his hat and wig came off, and fell upon the ground. Harry got out to pick them up and restore them to his master. The laird was satisfied with the hat, but demurred at the wig. "It's no my wig, Hairy, lad; it's no my wig;" and refused to have anything to do with it. Hairy lost his patience, and, anxious to get home, remonstrated with his master: "Ye'd better tak it, Sir, for there's nae waile o' wigs on Munrimmon Moor."[1] The humour of the argument is exquisite, putting to the laird, in his unreasonable objection, the sly insinuation that in such a locality, if he did not take *this* wig, he was not likely to find another. Then what a rich expression, "waile o' wigs." In English what is it? "A choice of perukes;" which is nothing comparable to the "waile o' wigs." I ought to mention also an amusing sequel to the story, viz., in what happened after the affair of the wig had been settled, and the laird had consented to return home. When the whisky drove up to the door,

[1] In the neighbouring county of Mearns another version of the wig story is current, in which another person than the Laird of Balnamoon is made the *dramatis persona*. The elders of the parish F—, near the close of the last century, were in the habit of adjourning after the close of the meetings of session to a certain well-known hostelry in the village to enjoy a bicker or two of home-brewed ale, a drink much liked in those days. On one occasion two of them, from the north side of the parish, after a good boose at the ale, were crossing the Round Hill near the Heathery Briggs, when the hat and wig of one of them named Wyllie, but more commonly known by the name of Auld Cantla, from the name of his farm, Cantla Hills, fell off. It being dark, his brother elder made a search for them in vain. On the ground many newly-cut turfs were lying about, and being so far gone as to mistake one of these turfs for a wig, he clapped one of them, with the heathery side downwards, upon the bald head of the elder, who strongly remonstrated against such a covering being applied to his head, but who was naïvely told by his companion that 'there was no wyle o' wigs in the Common of Cowie.'—[Information from a clergyman long resident in the district in which the incident occurred.]

Hairy, sitting in front, told the servant who came, to "tak out the laird." No laird was to be seen; and it appeared that he had fallen out on the moor without Hairy observing it. Of course they went back, and, picking him up, brought him safe home. A neighbouring laird having called a few days after, and having referred to the accident, Balnamoon quietly added, "Indeed I maun hae a lume[1] that'll *haw'd in.*"'

'The laird of Balnamoon,' continues the same author, 'was a truly eccentric character. He joined with his drinking propensities a great zeal for the Episcopal Church, the service of which he read to his own family with much solemnity and earnestness of manner. Two gentlemen, one of them a stranger to the country, having called pretty early one Sunday morning, Balnamoon invited them to dinner, and as they accepted the invitation, they remained and joined in the forenoon devotional exercises, conducted by Balnamoon himself. The stranger was much impressed with the laird's performance of the service, and during a walk which they took before dinner, mentioned to his friend how highly he esteemed the religious deportment of their host. The gentleman said nothing, but smiled to himself at the scene which he anticipated was to follow. After dinner, Balnamoon set himself, according to the custom of old hospitable Scottish hosts, to make his guests as drunk as possible. The result was that the party spent the evening in a riotous debauch, and were carried to bed by the servants at a late hour. Next day, when they had taken leave, and left the house, the gentleman who had introduced his friend asked him what he thought of their entertainer. "Why, really," he replied, with evident astonishment, "sic a speat o' praying, and sic a speat o' drinking, I never knew in the whole course of my life."

'Amongst many humorous colloquies between Balnamoon and his servant, the following must have been very racy and very original. The laird, accompanied by John, after a dinner party, was riding, on his way home, through a ford, when he fell off into the water. "Whae's that faun?" he inquired. "Deed," quoth John, "I witna, an it be no your honour."'[2]

The following familiar notes, written by this Laird of Balnamoon to the

[1] A vessel.

[2] Reminiscences of Scottish Life and Character, by Dean Ramsay (Edinburgh, 1864), pp. 166-168, 183, 184.

Earl of Northesk and his Countess, with whom he was on very friendly terms, exhibit the cheerful state of mind and the propensity for humour which he continued to maintain even after age had begun to tell severely upon his once athletic frame.

(1.) Mr. Carnegy of Balnamoon and family beg leave to present their most respectful compliments, and most sincere and hearty good wishes, to my Lord Northesk and Lady Mary Anne Carnegy, and with all the cordiality, respect, and friendship possible, takes the liberty of wishing my good Lord Northesk, Lady Mary Anne Carnegy, and all the family of Northesk, att home and abroad, many happy and prosperous New years.

Balnamoon intended to have done himself the honour of paying his respects to my Lord Northesk and Lady Mary Anne Carnegy, but is at present prevented, by the great fall of snow, and the road being at least impassible to such old worn out fellows; but has that honour in view how soon health and the weather will permitt.[1]

(2.) Balnamoon and family present their most respectfull compliments to my Lord Northesk and Lady Mary Anne Carnegie; are very happy to hear they are well, and that Captain Carnegie and Mr. George are in good health. May my good Lord Northesk, and all his worthy and respectfull family long enjoy all health. happiness, and prosperity, is the earnest wish and prayer of him who is always, and on all occasions, their most humble, most obedient and faithful servant.

Had the honour of my Lord Northesk's friendly card last night, and is very sensible of the respect my Lord is so good as show to him, and all this family; wishes for ane opportunity to show his gratitude. We have had a long winter, and assures Caterthun has not been behind hand with the Red Head in point of quantity of snow. These last eight days has had a great fall, and the frost very hard this morning. Has been confined within the narrow limits of the Barns for these three months at least. People are now wishing to get out to labour. Does not remember of such a close run matrimonial race as that betwixt the two Lairds of Mylnfields. The old Laird turned the first stoop, but the young Laird has saved his distance. We shall see which of the two gets first to the goal. Time has entirely kicked Balnamoon out of the course of raceing, and believes even starting would very ill become him.

Balnamoon, February 25th, 1785.[2]

In May 1786, this laird, writing to a gentleman, in reference to a meeting of trustees, of whom the laird was one, informs him that it was

[1] Original Letter at Ethie.

[2] Original Letter at Ethie.

not in his power to attend the meeting if it was to be held at any considerable distance, as he had been confined at home above seven or eight months by a complaint which had disabled him from riding or even walking any distance. If the other gentlemen trustees would fix the meeting at Forfar, he promised to attempt to travel thither, although he was by no means certain of his being able even to make that out, as he was then in such a situation that he could not walk, and when he rode, he could move no faster than the horse walked.

THE BARONY AND MANSION OF LOUR.

The estate of Lour, in the parish and county of Forfar, was another of the territorial acquisitions of Sir John Carnegie of Ethie. It is situated at the southern boundary of the parish, where the land becomes more elevated, and the mansion-house, at the date of the last Statistical Account of Scotland, published in 1845, was the only baronial mansion in that parish. Sir John Carnegie, when made a peer in the year 1639, took his title from the lands of Lour; and when created an Earl in 1647, he was styled Earl of Ethie, Lord Lour and Inglismaldie.

The estate of Lour was bestowed by David second Earl of Northesk on his third son, the Honourable Patrick Carnegie; and from it he himself and his descendants took their designations. After having descended from father to son through five successive lairds, all of the name of Patrick, Lour is now the property of Patrick Watson Carnegie of Lour and Turin, who is the sixth laird of the Carnegie family. A table of the descendants of Patrick Carnegie, first of Lour, who form the twelfth branch of the Carnegie family, is afterwards given.[1]

Besides the property of the name of Lour, situated in the parish of Forfar, there is another of the same name situated in the barony and parish of Inverarity, in the shire of Forfar. It was from the former that John

[1] *Infra*, p. 436. In early times Lour belonged to a family of the surname of Lour. 'John de Lowre of that ilk' is named as one of the Council of David fifth Earl of Crawford, in a charter, dated 1466.—[Lives of the Lindsays, vol. i. p. 117.]

first Lord Lour took his title. In 1643 he acquired the other Lour from Sir William Blair of Balgillo.

The lands of the last-mentioned Lour and of Inverarity belonged at an early period to Henry of Neuith, Knight, and were, for failure of the services due to the King therefrom, resigned by him into the hands of King Alexander III., who, by charter dated 19th March, in the sixteenth year of his reign (1265), granted them to Hugh of Abernethy. This charter is printed in the Appendix.[1]

The lands of the same Lour were afterwards erected into a barony, and before the year 1464 they became the property of George first Earl of Rothes. On the 18th October of that year, the Earl granted a charter of the barony of Lour, the lands of Muirtown, and half of the lands of Carrate, with the superiority of the barony, all in the shire of Forfar, in favour of Mr. David Guthrie of Kincaldrum, treasurer to the King.[2]

In the year 1506 the lands of Lour in Inverarity were the property of Andrew Kynnynmonth, as appears from his being designated from them. On the 1st of March of that year, Alexander Lindesay of Auchtermunzie, Knight, and baron of the barony of Inverarity, granted a charter to John Kynnynmonth, son and apparent heir of Andrew Kynnynmonth of Loure, and Isobel Strachan, spouse of the said John, of the half of the lands of Ewynstoune, now Ovenstone, in the county of Forfar.[3]

The lands of Lour, in the barony of Inverarity, to which these two charters apply, are now called Little Lour. David fourth Earl of Northesk sold the dominical lands and Mains of Lour, in the barony of Inverarity, to David Fothringham of Pouric, by disposition dated 12th May 1694. Little Lour still forms part of the Pourie estate.

The mansion-house of Lour, in the parish of Forfar, was probably built by David second Earl of Northesk for his son, Patrick Carnegie, who became the Laird of Lour. The house is pleasantly situated, and commands an extensive prospect of the country immediately to the south. It is a comfortable mansion, without any pretension to architectural effect.

[1] Appendix, p. 479, No. 27.

[2] Original Charter in the Pourie Fothringham Charter Chest.

[3] Original Charter in the Pourie Fothringham Charter Chest.

Ochterlony describes it as 'a good house, and well planted, with an excellent moss, good corns, and well grassed.'[1]

In the mansion-house of Lour are portraits of several of the Carnegie family, including the four brothers, David first Earl of Southesk, John first Earl of Northesk, Sir Robert Carnegie of Dunnichen, and Sir Alexander Carnegie, first of Balnamoon. There is also an original portrait of Charles fourth Earl of Southesk, nearly full length, in armour; the only portrait of that Earl known to exist. There are also portraits of David second Earl of Northesk, and of his countess, Lady Jean Maule, who were the parents of the Honourable Patrick Carnegie, first of Lour; two portraits, nearly full length, of two subsequent Earls of Northesk, and one of James Carnegie of Finhaven, who unhappily acquired notoriety from his having accidentally killed Charles sixth Earl of Strathmore in the street of Forfar.

Other castles and baronies, which now belong, or which had formerly belonged, to the Carnegie family, such as East and West Fithies, Baldovie, Bonnyton, Fullerton, Powis, Bolshan, Kinnell, Braikie and Craig Castles, and the Castle of Vayne, etc., would have afforded scope for interesting description; but as the notices of the principal castles and baronies already described have extended to greater length than was anticipated, we must here close the introductory portion of this work.

[1] The Spottiswoode Miscellany, vol. i. p. 322.

ARMORIAL BEARINGS OF CARNEGIE.

THE origin of the armorial bearings of the Carnegies, like that of the arms of most families of antiquity, is veiled in an obscurity not now removable.

From the earliest period at which we have any instance of the arms of this family, an eagle seems to have constituted the essential bearing; but whether originally assumed by the De Balinhards, for special, or non-special reasons; or borne by them to mark kindred with the Ramsays, as some writers assert; or assumed by John de Balinhard, on his acquisition of the lands of Carnegie, from a fancied derivation of the latter part of that word from the name of the king of birds, it is useless even to conjecture; the burning of the Castle of Kinnaird, in 1452, having destroyed the earlier papers by which the question might have been solved.

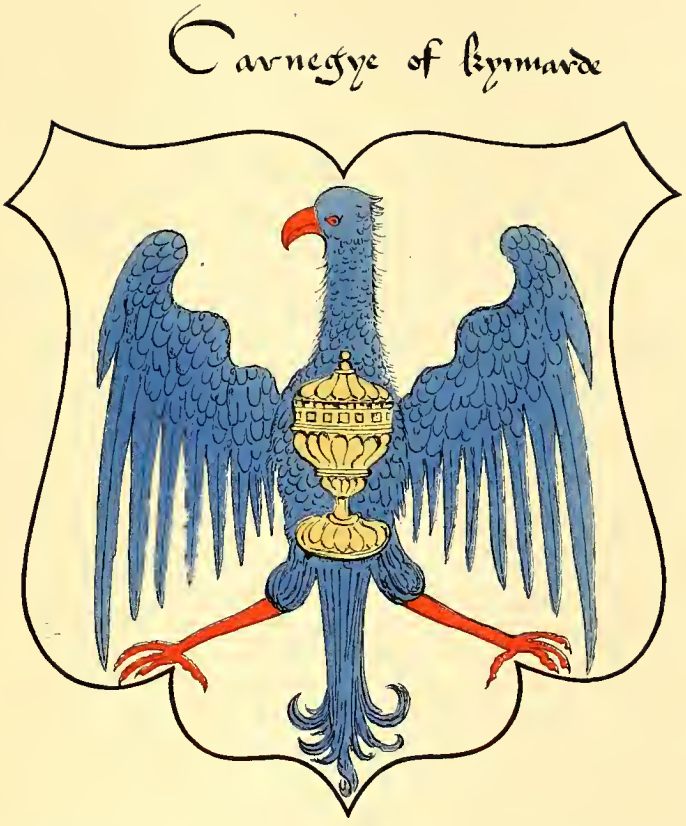
The seal of John de Carnegie, third Laird of Kinnaird, appended to a



document dated 1489, is the first certain example of the Carnegie arms, which, as there blazoned, represent an eagle displayed, and standing on an object difficult to define, but believed to represent a barrel, the shield being also charged with a mullet in the dexter and sinister chief points.[1] The same arms, however, previously appear on a seal appended to the testimonial of sasine given by Henry Fothringhame, Sheriff-Depute of Forfar, to John Carnegie, son and heir of Walter Carnegie of Kinnaird, dated 24th May 1479.[2] The seal is there said to be the 'proper seil of armes' of the granter. But as the proceedings recorded in the testimonial took place at the mansion-house of Kinnaird, it is probable that the signet of John Carnegie was borrowed for the occasion. The arms of the Fotheringham family, well known to be three bars gules, are unmistakably different. An instance of a similar substitution of a seal, is to be found in the

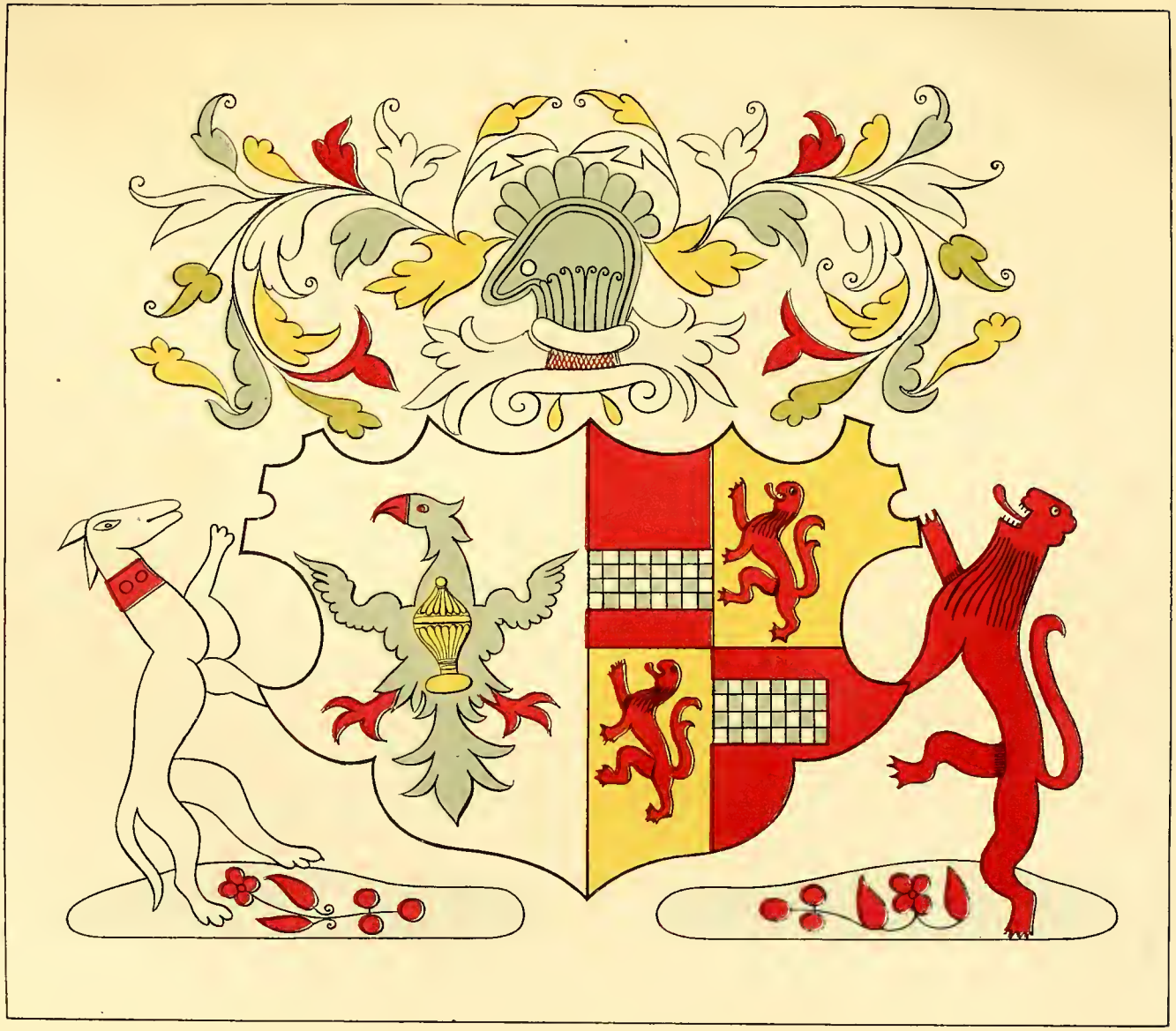
[1] Sir Patrick Hume's MS. blazons the arms of Carnegie of Kinnaird, argent, an eagle displayed sable, standing on a tun gules; but he is probably incorrect in making the eagle sable instead of azure, the former being the distinctive tincture of the eagle of the Ramsays.

[2] Page 20, *infra*.



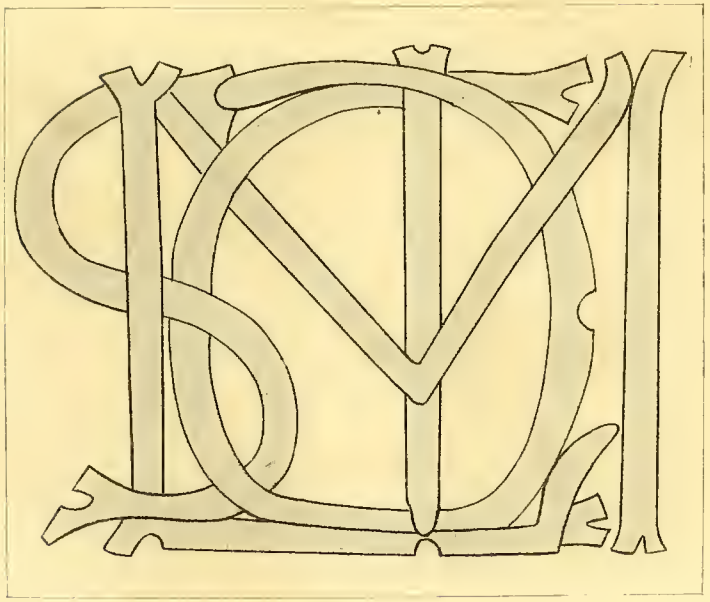
ARMORIAL BEARINGS OF SIR ROBERT CARNEGIE OF KINNAIRD.

From The "Buke and Register of Armes done by Sir David Lindesay, Knight, alias Lion King of Armes" A.D. 1542, in the Library of the Advocates, Edinburgh.



ARMORIAL BEARINGS OF SIR DAVID CARNEGIE OF KINNAIRD AND HIS WIFE MARGARET LINDSAY OF EDZELL.

From an embroidered Velvet Cloth, Date C. 1610, at Kinnaird Castle.



W. & A. K. Johnston, Edinburgh.

INITIAL LETTERS OF

SIR DAVID CARNEGIE OF KINNAIRD AND HIS WIFE MARGARET LINDSAY,

From an Embroidered Cloth Date C. 1610 at Kinnaird Castle.

deed of resignation of the tack of Maryton, by the procurators of Janet Ogilvy, in 1446,[1] in which it is stated, that Robert Fullarton, on resigning the said lease, through power of the said Janet, his mother, openly read it in Court, and sealed it with a seal procured of Walter Carnegy.

The eagle surmounting a barrel again occurs in the Carnegie arms, on several occasions. In 1551, the seal of Sir Robert Carnegie, fifth of Kinnaird, displays the same bearing; but, as we shall presently see, he had probably ceased to bear the barrel a few years before this date, although he might have casually used an old seal on which it appeared. The last instance in which the eagle with the barrel has been met with, is in 1580, on the seal of Katherine Carnegie, daughter of George, brother-german to Sir John Carnegie, sixth of Kinnaird. Sir John himself undoubtedly bore the eagle displayed, without the barrel, and charged on the breast with a covered cup, as shown in his seal appended to a deed of date 1591. An engraving of that seal is given below.



That this charge had been adopted by the family at an earlier period, may be inferred from Sir David Lindsay's heraldic manuscript, of 1542, in which the arms of 'Carnegy of Kynarde' are blazoned—argent, an eagle displayed, azure, armed beaked and membered gules, charged on the breast with an antique covered cup, or. A copy of this blazon is here given. The arms are, indeed, drawn on the back of a page, instead of being grouped with other coats, in the usual style of the book; and from this a doubt arises, whether the drawing may not have been a subsequent addition. But even granting it to have been so, intrinsic evidence proves that it cannot be assigned to a much later



[1] Registrum Episcopatus Brechinensis, vol. i. p. 180, No. 59.

date than the rest of the manuscript: and, considering that the form of the shield is identical with that in Sir David's blazon of his own arms at the end of the book; that the inscription above is in his handwriting; that the design precisely tallies with that of other eagle-charged coats in the book—such as Ramsay and Byckertoun; that Sir Robert Carnegie, the then head of the family, was a man of some mark at the period, a Senator of the College of Justice in 1547, and ambassador to England in the following year;—and that, moreover, Sir David would scarcely omit a family of such consideration as the Carnegies, while recording the bearings of all their immediate neighbours in Angus; there are strong grounds for believing that we have before us authentic evidence that in, or soon after, 1542, Sir Robert Carnegie bore the arms which, with little or no change, have since been borne by his successors.

The questions now naturally arise,—What meant this singular heraldic charge of a barrel, beneath the talons of the eagle? whence was it derived? and why did it fall into disuse? For the first two of these questions, we find a satisfactory solution in the fact that the lands of Kinnaird were held by the Carnegies from the Crown, for the service of keeping the King's ale-cellar when his Majesty should be in Forfarshire;[1] just as the neighbouring estate of Bonnyton was held by the Tullochs and Woods, and that of Kinnaber by the Fullertons, under the respective services of supplying fish and wildfowl for the Sovereign's table. Duthac Carnegie, first of Kinnaird, it is probable, wishing to distinguish his arms from those of his elder brother, John Carnegie of that ilk, added the barrel, as an appropriate allusion to the feudal tenure of his estate. Whether or not the mullets in chief had any peculiar significance, it would be difficult to say, such minor charges being frequently assumed, or dropped, for temporary reasons. As to the cause for the disuse of the more important charges about the middle of the sixteenth century; it may be observed, that the line of Carnegie of that ilk coming to an end at that period, Sir Robert of Kinnaird, having thus become the head of the family, dropped, according to usual heraldic practice, the mark of cadency which he had formerly borne, and assumed the azure eagle in its original simplicity; charging its breast, however, with a covered cup, either in reminiscence of the Kinnaird

[1] *Vide* p. 18, *infra*.

tenure, or, as stated by some authors, in token of the office of cupbearer to the Sovereign, conferred on him and his predecessors.[1]

The next example of the family arms blazoned in their heraldic tinctures, occurs on an embroidered velvet cloth, on which are represented in four separate series the impaled arms of Sir David Carnegie, afterwards first Earl of Southesk, and his wife Margaret Lindsay, daughter of the Laird of Edzel. The shield and its charges, in this instance, are evidently identical with those of the drawing of 1542; while in addition, a white greyhound, collared gules, is introduced as a supporter on the Carnegie, or dexter, side. A drawing of one of the four impaled coats on this cloth is here given.

The first Earl of Southesk, it would seem, had a strange inclination to vary his armorial bearings on every possible occasion. We sometimes find him bearing, or represented as bearing, for supporters, talbots, beagles, and even spaniels,—and these of differing colours,—instead of the white greyhound of the embroidered cloth. We also find the crest—which was probably first adopted by him—variously described as 'a thunderbolt, or,' and as a 'dexter hand grasping a thunderbolt proper, winged or;' his motto, 'Dread God,' is sometimes latinized into 'Deum timete;' and more important than these variations of mere accessories, we even discover an uncertainty as to the metal of the shield, which at one time certainly was changed by him from argent to or; and in this manner it has since been most commonly borne. The great silver seal of James, second Earl, distinctly shows the shield as argent, and the thunderbolt as without a grasping hand, while the supporters are apparently meant for greyhounds. Robert, third Earl, removed the cup from the eagle's breast, and bore greyhound supporters. Charles, fourth Earl, restored the cup, and bore talbots for supporters. His son James, fifth Earl, had the same supporters, but dropped the cup. None of these earls seem to have placed the thunderbolt of their crest, saltire-wise in a dexter hand, although it has constantly been so represented by the peerage writers, both in drawing and description.

Passing from the main line to the senior Pittarrow branch; we find this branch varying the family arms by bearing the azure eagle on a shield

[1] Sir George Mackenzie's Heraldry, MS. Nisbet's System of Heraldry, vol. i. p. 133.

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party per pale, or and argent; and also by assuming as crest, sometimes, 'a demi-man grasping in his dexter hand an arrow proper,'—in allusion to the name of their estate,—and sometimes, 'a demi-eagle displayed azure,' with the motto, 'Video alta sequar-que.' When, however, on the death of James fifth Earl of Southesk, in 1729, Sir James Carnegie became the chief of the family, he, as of right, ceased to display the marks of cadency, and thenceforth bore the full arms of Carnegie of Southesk; adopting, as his blazon, the shield of gold, the hand-grasped thunderbolt, and the greyhound supporters. In this blazon Sir James was followed by his son and grandson. The present Earl of Southesk has, however, returned to the old argent shield, has dropped the hand from the crest, and has finally adopted talbots for his supporters. His arms are blazoned as follows:—Argent, an eagle displayed, azure; armed beaked and membered, gules; charged on the breast with an antique covered cup, or. Supporters, two talbots argent, collared gules. Crest, a thunderbolt proper, enflamed at both ends, winged or. Motto, Dread God.

An engraving of the seal of arms of the first Earl of Southesk is annexed:—



BLAZON OF ARMS ON THE TITLE-PAGE.

Upper Centre.

CARNEGIE, EARL OF SOUTHESK.—Argent, an eagle displayed, azure, armed beaked and membered, gules; charged on the breast with an antique covered cup or.

Dexter side (i.e., *to left of reader*).

No. 1 (*Uppermost*).

CARNEGIE OF TARRIE.—Or, an eagle displayed, azure, armed etc., gules; charged on the breast with a crescent of the first.

No. 2. CARNEGIE OF STRONVAR.—Per pale or and argent, an eagle displayed, azure, armed etc., gules; charged on the breast with an estoile of eight points, of the first.

No. 3. CARNEGIE OF CRAIGO.—Or, an eagle displayed, azure, armed etc., gules; charged on the breast with a fleur-de-lys of the first.

No. 4. CARNEGIE OF BOYSACK.—Or, an eagle displayed, azure, armed etc., sable; within a bordure gules.

Lower Centre.

CARNEGIE, EARL OF NORTHESK.—Quarterly,—1st and 4th, for Carnegie, or, an eagle displayed, azure, armed beaked and membered, sable, charged on the breast with a naval crown of the first; in chief, the word 'Trafalgar:' 2d and 3d, for the title of Earl of Northesk, argent, a pale gules.

Sinister side (i.e., *to right of reader*).

No. 1 (*Uppermost*).

CARNEGIE OF PITTARROW.—Per pale or and argent, an eagle displayed, azure, armed etc., gules.

No. 2. CARNEGIE OF BALNAMOON.—Or, an eagle displayed, azure, armed etc., gules; within a bordure vair.

No. 3. CARNEGIE OF FINHAVEN.—Or, an eagle displayed, azure, armed etc., sable; within a bordure parted per pale, gules and argent, charged with eight escallops countercharged.

No. 4. CARNEGIE OF LOUR.—Or, an eagle displayed, azure, armed etc., sable; within a bordure engrailed, gules.

Note.—These arms are arranged without any reference to precedency.

PEDIGREE OF JAMES SIXTH AND PRESENT EARL OF SOUTHESK, AND CHIEF OF THE FAMILY OF CARNEGIE.

I. JOHN DE BALINHARD, *c.* 1210-1275, p. 3.

II. CHRISTINUS DE BALINHARD, *c.* 1275-1306, p. 3.

III. JOHN DE BALINHARD, *c.* 1306-1340, p. 4.

IV. JOHN DE BALINHARD, afterwards DE CARNEGIE, *c.* 1340-1375, p. 4.

- JOHN DE CARNEGIE of that Ilk. Line extinct, *c.* 1530, pp. 5-7.
- V. DUTHAC DE CARNEGIE, first of Kinnaird and Carcary, *c.* 1375-1411, p. 9. Mariota de Kinnaird, his wife, *c.* 1375-1411, p. 9.

VI. WALTER DE CARNEGIE, second Laird of Kinnaird, 1411-1479, p. 14.

VII. JOHN CARNEGIE, third Laird of Kinnaird, 1479-1508, p. 20. —— Waus, his wife, p. 21.

VIII. JOHN CARNEGIE, fourth Laird of Kinnaird, 1508-1513, p. 22. Euphame Strachan, his wife, 1513, p. 23.

IX. SIR ROBERT CARNEGIE, fifth of Kinnaird, 1513-1565, p. 24. Margaret Guthrie, his Wife, 1527-1571, p. 38.

- SIR JOHN CARNEGIE, sixth of Kinnaird, died in 1595, without male issue, pp. 55, 56.
- X. DAVID CARNEGIE of Colluthie and Kinnaird, 1595-1598, p. 57. Euphame Wemyss, his wife, 1568-1593, p. 62.
- JAMES CARNEGIE, ancestor of the Balmachie branch. p. 434.
- HERCULES CARNEGIE, ancestor of the Cookston and Craigo branches, pp. 436-438.

- XI. SIR DAVID CARNEGIE of Kinnaird, created Lord Carnegie and Earl of Southesk, 1598-1658, p. 70. Margaret Lindsay, his wife, 1595-1614, p. 70.
- JOHN FIRST EARL OF NORTHESK, ancestor of the branches of Northesk, p. 341; Finhaven, p. 425; Lour, p. 426; Kinfauns, p. 428; Boysack, p. 429.
- ROBERT CARNEGIE of Dunnichen, p. 63.
- ALEXANDER CARNEGIE of Balnamoon, p. 431.

- DAVID LORD CARNEGIE died without male issue.
- JAMES SECOND EARL OF SOUTHESK. Line extinct in 1730.
- SIR JOHN CARNEGIE of Craig. Line extinct.
- XII. SIR ALEXANDER CARNEGIE of Pittarrow, 1639-1682, p. 241. Margaret Arbuthnot, his wife, 1640-1701, p. 243.

XIII. SIR DAVID CARNEGIE, first Baronet, 1682-1708, p. 251. Catherine Primrose, his wife, 1663-1677, p. 251.

XIV. SIR JOHN CARNEGIE, second Baronet, 1708-1729, p. 266. Mary Burnett, his wife, 1712-1754, p. 267.

- XV. SIR JAMES CARNEGIE of Southesk, thirteenth of Kinnaird, third Baronet, and but for the attainder sixth Earl of Southesk, 1729-1765, p. 196. Christian Doig, his wife, 1752-1820, p. 211.
- GEORGE CARNEGIE, ancestor of the branches of Junior Pittarrow and Stronvar, p. 304.

XVI. SIR DAVID CARNEGIE of Southesk, fourth Baronet, and but for the attainder seventh Earl of Southesk, 1765-1805, p. 215. Agnes Murray Elliot, his wife, 1783-1860, p. 228.

- XVII. SIR JAMES CARNEGIE of Southesk, fifth Baronet, and but for the attainder eighth Earl of Southesk, 1805-1849, p. 233. Charlotte Lysons, his wife, 1825-1848, p. 233.
- JOHN RENNIE-STRACHAN CARNEGIE of Tarrie, p. 295.

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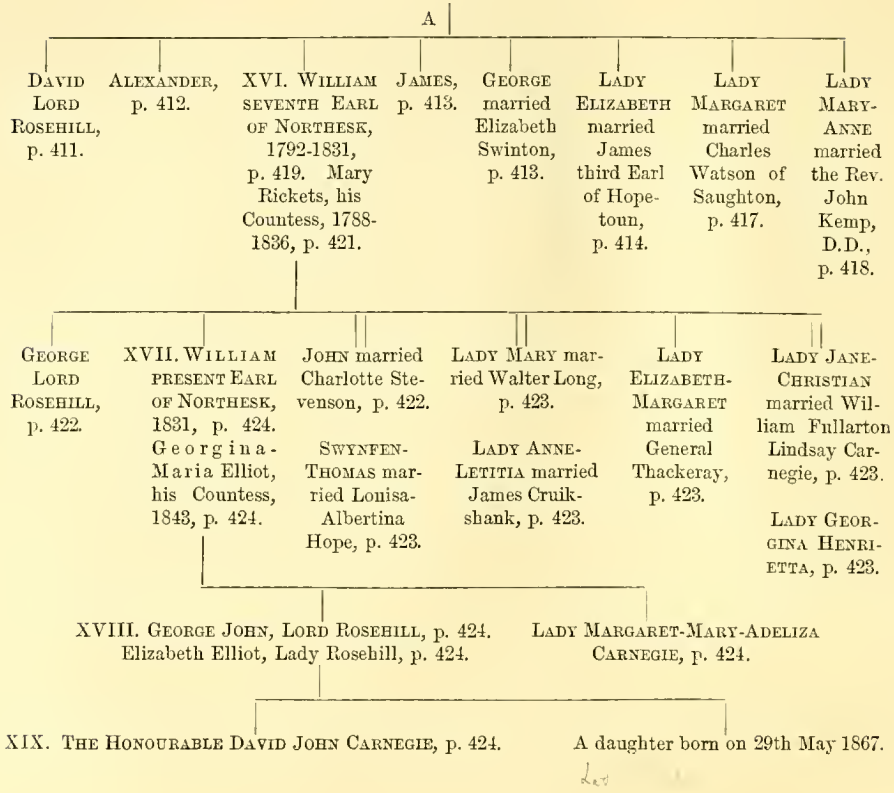
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HISTORY OF THE FAMILY OF CARNEGIE.

THE BALINHARDS OF BALINHARD,

ANCESTORS OF THE CARNEGIES, 1210-1375.

FOUR of the earliest generations of the Carnegie family, as has been previously observed in the Introduction, bore the surname of Balinhard, as is proved by a Royal Charter, granted by King David II. in the twenty-ninth year of his reign [1358]. The abstract of this charter, which is all that is now preserved, does not give the date; but it is grouped by that distinguished antiquary, Thomas first Earl of Haddington, in his valuable Collections, with charters which bear to have been granted in the twenty-ninth year of the reign of David II., and immediately before other charters which are dated in the thirtieth year of his reign.

The following is the abstract preserved :—

David, etc., Sciatis nos approbasse, et hac presenti carta nostra confirmasse, donacionem illam et concessionem quam quondam Walterus de Maule fecit et concessit Joanni filio et heredi quondam Joannis, filii Christini, filii Joannis de Balnehard, de terra de Carryneggie cum pertinenciis, in baronia de Panmure, infra vicecomitatum de Forfar: Tenenda et habenda eidem Joanni de Carinnegy, filio et heredi predicti quondam Joannis filii Joannis, et heredibus suis in feodo, etc.[1]

Neither the original of this donation of the lands of Carnegie to John, son and heir of the deceased John of Balinhard, by the deceased Walter Maule, nor of the Crown charter of confirmation, is now preserved, so far as is known. Both may have perished with the other early Carnegie charters

[1] Collection of Charters by Thomas, first Earl of Haddington, in Advocates' Library, Edinburgh [34. 2. 1a.]. Also abstract in the British Museum [Bib. Harl. 4628]. These two abstracts agree with each other. They recite in the dispositive clause four generations of the Balnehard family. In the Tenendas clause three Johns are placed in succession, but this appears to be a mistake, arising from the omission of the name of Christinus.

when the house of Kinnaird was destroyed by fire, after the battle of Brechin, as already mentioned in the Introduction.

The roll or registration of the charter is also now lost. But evidence of the entry of the charter in the rolls is furnished by the index of them, prepared in the year 1629, in which the charter is thus noted :—

> Charter to John Balnhard of the lands of Carnagie, in the barony of Panmure, in vicecomitatu de Forfar, given by Walter Mauld.[1]

But for this charter, the ancestors of the Carnegie family who bore the name of Balinhard would have been unknown. Their names do not appear in any other contemporary record. The charter is thus an important proof of the early descent of the family; and it is remarkable as containing so many generations. These may have been described in the original donation by Maule, in consequence of some previous transactions in regard to the lands, or for the purpose of proving possession for more than three generations, which would convert a lease-holding into a charter-holding subject.

In tracing precisely the successive members of the Balinhard family, it is necessary to ascertain, as nearly as may be, the date of the donation of Carnegie by Walter Maule, and of the confirmation by King David II.

According to the history of the 'House of Panmure' and other authorities, Walter Maule was a great warrior, and a staunch adherent of King Robert the Bruce, as his father Sir Henry Maule had been before him. Both the father and the son sold several portions of their barony of Panmure to serve the cause of the Bruces. The lands of Benvie and Balruddrie, Carmylie, Scryne, and others, in the very heart of Panmure, were wadset by Henry and Walter Maule. It is probable that the lands of Carnegie were sold by the latter to John de Balinhard about the same time as the sale of Carmylie, which is adjacent to Carnegie, that is, about the year 1340, or eight years before the death of Walter Maule.

Assuming this date as a basis, and calculating according to the usual period allowed for each generation, the date of each member of the Balinhard family can be pretty accurately ascertained. The first John de Balin-

[1] Index to the missing Charters, by William Robertson, p. 61, No. 14.

hard who is mentioned in the charter, according to this calculation, had flourished from the beginning of the thirteenth century to the year 1275. He is undoubtedly the earliest proved ancestor of the Carnegie family,[1] and reckoning from him, the following will be the state of the descent of the four successive inheritors of the surname and lands of Balinhard :—

I.—John de Balinhard, *c.* 1210-1275.

The period and position of John de Balinhard, father of Christinus de Balinhard, in the line of family descent, are proved by the before-mentioned donation of the lands of Carnegie to his great-grandson, John de Balinhard. It thus appears that John de Balinhard, the first of that name, was born about the year 1210, or towards the close of the reign of King William the Lion; that he flourished during the whole reign of King Alexander II., and during the greater part of that of Alexander III.; and that he died about the year 1275. The name of the wife of this first John de Balinhard has not been ascertained; and there is the same want of evidence as to the wives of his immediate descendants for three generations. His name and surname, his possession of the estate of Balinhard, the succession of his son Christinus and his grandson John to that estate, and the acquisition of the lands of Carnegie by his great-grandson, John de Balinhard, who afterwards assumed the name of John de Carnegie, are all the particulars that can now be ascertained respecting this ancestor of the Carnegie family. He was succeeded by his son—

II.—Christinus de Balinhard, *c.* 1275-1306.

The period at which Christinus de Balinhard flourished, and his position in the family as son of John de Balinhard, the first of that name, are proved by the same charter. He was probably born about the year 1236,

[1] Sir Jocelyne de Balindard, who flourished a generation earlier than the first John de Balinhard of the charter of King David II., has been latterly considered by some as the probable ancestor of the Carnegie family. Chronology is favourable to this view; but no direct evidence has been discovered to establish it.

or near the middle of the reign of Alexander II., flourished during the whole reign of Alexander III., and the brief reigns of Queen Margaret and John Baliol, and died in the close of the Interregnum of 1296-1306, or in the beginning of the reign of King Robert the Bruce. Nothing is known of his personal history. He was succeeded by his son—

III.—John de Balinhard, *c.* 1306-1340.

His position in the line of descent is fixed by the same donation of Walter Maule and the Crown confirmation thereof. He was probably born about the year 1270, or towards the close of the reign of Alexander III., and flourished during the succeeding reigns of Queen Margaret and John Baliol, during the Interregnum of 1296-1306, through the whole reign of Robert the Bruce, and for ten or twelve years of the reign of David II. He died about the year 1340, and was succeeded by his son—

IV.—John de Balinhard, afterwards de Carnegie, *c.* 1340-1375,

Who was the third who bore the same Christian and surname, and the fourth person enumerated in the Crown charter of King David II. It was this John who acquired from Walter Maule the donation of the lands of Carnegie about the year 1340. He was the last of the line who bore the surname of Balinhard. Having acquired the lands of Carnegie, he (according to the custom of the times, when surnames had not been long fixed) assumed from them a new surname, which has ever since continued to be that of the family. He is supposed to have been the father of John Carnegie, second of that Ilk, and of Duthac Carnegie, first of Kinnaird, of whom an account will now be given.

THE CARNEGIES OF THAT ILK, FROM 1340 TO 1530.

JOHN DE BALINHARD, who acquired the lands of Carnegie, and assumed from them a new surname, which was inherited by his descendants, is presumed to have been the father of—

V.—1. JOHN DE CARNEGIE, Second of that Ilk, 1375-1430.

HE succeeded to the lands of Carnegie, and had two sons :—

1. John de Carnegie, who succeeded him in the lands of Carnegie.
2. Walter, who, on 21st July 1450, was one of the inquest at the declaration of the right of the city of Brechin to hold a weekly market every Lord's day, and to possess the liberty of the waters of Southesk and Tay for transporting their merchandise; and of the right of the bishops of Brechin to hold Chamberlain Courts amongst the inhabitants. In that inquest his name follows that of John de Kernegy of that Ilk (*de eodem*), and he is designated Walter de Kernegy, his brother.[1]

VI.—JOHN DE CARNEGIE, Third of that Ilk, *c.* 1430-1460.

JOHN CARNEGIE of that Ilk is mentioned in various documents between the years 1438 and 1457, and in almost all of them he bears that designation. He was one of the inquest on the service of Walter Tulloch as heir of his grandfather, Walter Tulloch, in the lands of Tulloch, which was done at Carnconan on the 8th October 1438.[2] On the 21st July 1450, he was

[1] Registrum Episcopatus Brechinensis, vol. ii. p. 79. This Walter Carnegie is probably the same person who, as Walter Carnegie of Guthrie, witnesses a transumpt of various charters by William the Lion, Robert the Bruce, and David II., along with John Carnegie of that Ilk, and others, on 21st July 1450, and who, under the same designation, in October following, again appears, along with John Carnegie of that Ilk, and Walter Carnegie of Kinnaird, and others, as one of the jurors at the arrangement of the marches and division of the lands of Menmuir.—[Registrum Episcopatus Brechinensis, vol. i. pp. 141, 148.]

[2] Registrum Nigrum de Aberbrothoc, Bannatyne Club, 1856, p. 72.

one of the jurors at the settlement of a weekly market, and of the freedom of the waters of Tay and Esk in favour of the Bishop and city of Brechin, above referred to. In that inquest he is named John de Kernegy of that Ilk (*de codem*).[1] On the same date, John Carnegie of that Ilk witnessed a transumpt of various charters by King William the Lion, Robert the Bruce, and David II., in favour of the church and Bishops of Brechin.[2] John Carnegie of that Ilk, along with Walter Carnegie of Guthere and Walter Carnegie of Kinnaird, was also one of the inquest at the arrangement of the marches and divisions of the lands of Menmuir, between the Bishop of Brechin and John of Cullace, on 12th and 13th October 1450. On the 27th July 1456, he, and several gentlemen of the district, made an arrangement with the Abbot of Aberbrothoc concerning the 'myre' (moor) of Balnamoon; and on the 6th February 1457, he took part in the perambulation of the lands of Ouchtirlony and Forfar. On both occasions he is designated John Carnegie of that Ilk.[3] No later notice of him has been found.

This John Carnegie of that Ilk is presumed to have had a son—

VII.— Carnegie, Fourth of that Ilk, *c.* 1460-1500.

There is no charter-evidence of this laird's existence, but it may be fairly concluded from the continuance of the lands of Carnegie in the family. He was probably the father of—

VIII.—James Carnegie, Fifth of that Ilk, *c.* 1500-1530. Isobel Liddell, 1513-1563.

There is no charter evidence of the affiliation of this fifth Laird of Carnegie. But his having inherited the lands, and the period at which he lived, render it highly probable that he was the grandson of John Carnegie

[1] Registrum Episcopatus Brechinensis, vol. ii. p. 79.

[2] *Ibid.* vol. i. p. 141.

[3] Registrum Nigrum de Aberbrothoc, pp. 88-96.

of that Ilk, who possessed the lands of Carnegie from 1430 to 1460, and the great-great-grandson of that John de Balinhard, afterwards Carnegie, who acquired the lands of Carnegie from Walter Maule of Panmure in 1340.

James Carnegie of that Ilk (*de eodem*) witnessed a grant by David Strathauchin of Carmyle, of an annual-rent from his lands and mill of Carmyle for founding a chapel there, on the 5th of March 1500;[1] and under the same designation, he witnessed the infeftment of David Strathauchin in the lands of Skithen on the 6th August 1504.[2] James Carnegie of that Ilk married Isobel or 'Esobell' Liddell, one of the granddaughters of Robert Liddell of Panlathie, before the 24th August 1513, on which date they, as sponses, were infefted in the half-lands of Carnegie, on a precept by Thomas Maule of Panmure.[3] The precept is dated at Panmure 12th August 1513. David Ramsay, younger of Panbride, as bailie of Thomas Maule, gave to Hugh Arbuthnot, procurator for James Carnegie and Isobel Liddel, sasine of the half-lands of Carnegie, by placing him in the principal houses thereof and shutting the doors, as use is.

The writer of the 'House of Panmure,' apparently referring to this transaction, says: In the year 1513, James Carnegie had only the half toun in heritage, as may be seen by an sasine given by Sir Thomas Maule to the said James.[4] On the 7th of October 1520, James Carnegie received from Henry Routh, vicar of Monekie, a letter of reversion of the half-lands of Carnegie, and in the writ he is styled James Carnegie umquhill of that Ilk.[5] On the 23d of July 1527, under the designation of James Carnegie of that Ilk, he, for certain sums of money, resigned his lands of Carnegie into the hands of Robert Maule, superior of the same.[6]

Isobell Liddell survived her first husband, James Carnegie, and married, secondly, Thomas Douglas of Panlathie. On the 19th of June 1563, Isobell Liddell, oy or granddaughter, and one of the two heirs of Robert Liddell

[1] Registrum Episcopatus Brechinensis, vol. i. p. 226.

[2] Original Instrument of Sasine at Panmure.

[3] Original Instrument of Sasine, *ibid.*

[4] 'House of Panmure,' large quarto MS. p. 38, at Panmure.

[5] Original Letter of Reversion, *ibid.*

[6] Original Instrument of Resignation, *ibid.*

of Panlathie, and Thomas Douglas, her husband, obtained letters of four forms against Thomas Maule of Panmure, to compel him to fulfil the conditions of a contract made between them and the deceased Robert Maule.[1]

This James Carnegie of that Ilk was the last Laird of Carnegie in the direct line of male descent from the Carnegies and Balinhards. After parting with his paternal property of Carnegie, he is supposed to have died without issue, as in the course of very extensive investigations no trace has been found of any descendant from him. Nisbet, in his 'Heraldry,' and Mrs. Carnegie of Charlton and Pittarrow, in her 'Pedigree of the Carnegie Family,' both state that this line is extinct.

The name and designation of Carnegie were revived, and continued for some time after the death of this James Carnegie, by John Carnegie, a natural son of Sir Robert Carnegie of Kinnaird, as is afterwards shown in the account of the family of Sir Robert. John Carnegie acquired the lands of Carnegie from the Laird of Panmure, the superior, and both John and his son Robert took the designation of Carnegie of that Ilk. The lands of Carnegie were subsequently acquired by the Carnegies of Kinnaird, who again disposed of them to the proprietors of Panmure. After many changes in the course of centuries, the lands of Carnegie again form part of the great barony of Panmure, now belonging to the Earl of Dalhousie, the representative in the female line of that Walter Maule who first conveyed them to John de Balinhard in the year 1340.

[1] Original Letters at Panmure.

THE CARNEGIES OF KINNAIRD, 1375-1616.

V.2.—Duthac de Carnegie, First of Kinnaird and Carcary, 1375-1411.

This Duthac de Carnegie is presumed to have been the second son of John Carnegie of that Ilk, and of Balinhard, the last of the family who used the surname of Balinhard, and the first who assumed the surname of Carnegie, as before shown. Duthac de Carnegie acquired the lands of Kinnaird, Carcary, and part of Balnamoon. Kinnaird has ever since been the chief seat of the family. There is still extant a wadset over part of the lands of Kinnaird in favour of Duthac by Richard Ayre,[1] dated at Little Carcary, on the eve of Saint Michael [28th September] 1401. Duthac advanced ten marks sterling to Richard, son of Bricc Ayre, and obtained from him a letter of wadset of the sixteenth part of Little Carcary, the eighteenth part of Kinnaird, and forty pence of annual-rent of Balnamoon, in the county of Forfar. These lands were to be held by Duthac Carnegie and his heirs, without challenge, till the sum advanced by him was repaid upon Saint Michael's altar, in the church of Fernevale [Farnell].[2]

Eight years afterwards, Duthac Carnegie acquired the lands of the half of the town of Kinnaird from Mariota de Kinnaird, who resigned the same in favour of Duthac into the hands of Albany as Regent. By a charter under the Great Seal, dated 21st February 1409, he re-granted the lands to Duthac Carnegie. The following is a translation of the charter:—

Robert, Duke of Albany, Earl of Fyfe and of Menteith, and Regent of the kingdom of Scotland, to all good men of the whole foresaid kingdom, clergy and laity, greeting: Know ye that we have given, granted, and by this our present charter have confirmed to our beloved Duthac of Carnegy, all and whole the lands of half of the town of Kynnard, and the superiority of the Brewery of the same, with

[1] The surname of Air subsisted in the parish of Farnell until the year 1851, when the last of the name, an unmarried female, died at an advanced age.—[Land of the Lindsays, p. 194.]

[2] Original Letter of Wadset at Kinnaird. This is one of the few Kinnaird writs which were not destroyed in the burning of the house of Kinnaird, after the battle of Brechin. See the Letter in Appendix, p. 503, No. 54.

the pertinents, which belonged to our beloved Mariota of Kinnard, and which the same Mariota, not moved by force or fear, nor fallen into error, but by her mere and free will, at Cupar in Fyfe, by her letters-patent, before the witnesses underwritten, surrendered, purely and simply resigned, into our hands by staff and baton, and entirely quitclaimed for herself and her heirs for ever all right and claim which she had or could have in the said lands and superiority of the brewery, excepting one house with one acre of land, lying very near the foresaid house, which is called lie Chemyse, which shall remain for ever in the hands of the said Mariota: To be held and to be had the said half of the said town of Kynnard, with the superiority of the Brewery of the same, by the said Duthac and his heirs, of our lord the King and his heirs, in feu and heritage for ever; by all their right marches, old and divided, in woods, etc. . . . pertaining to the foresaid half of the town and superiority of the brewery, as freely and quietly, fully and entirely, honourably, well and peacefully, in all things, and through all things, as the said Marion or her predecessors more freely held or possessed the said half of the foresaid town and the superiority of the Brewery, of our lord the King, and his predecessors before the said resignation made to us thereof: Duthac and his heirs therefor rendering to our lord the King and his heirs aforesaid, the services due and wont. In witness whereof we have caused the seal of our office to be affixed to our present charter. Witnesses, the reverend father in Christ, Gilbert, bishop of Aberdeen, Chancellor of Scotland, our dearest grandson, Robert, Stewart of Fyfe, John the Stewart, lord of Buchane, our beloved son, George of Lesly, Elisha of Kynnynmond, knights, Duncan of Lychtoun, Alexander of Gardin, David Berclay: At Cupar in Fife, the twenty-first day of the month of February, in the year of our Lord one thousand four hundred and nine, and in the fourth year of our regency.[1]

Mariota de Kinnaird is understood to have been one of three coheiresses of the estate of Kinnaird; and to have married Duthac Carnegie, who received her portion of the estate. The other two coheiresses are said to have married respectively David Panther of Newmanswalls, and William Cramond of Auldbar. As these three persons were for a time joint lairds of Kinnaird, it is probable that their interests in the estate were acquired through marriage. But in the charter of regrant of Mariota Kinnaird's portion of the estate to Duthac de Carnegie, he is not called her husband, and no contemporary evidence has been found of the marriage.

Of the lands of Kinnaird acquired by Duthac de Carnegie, and of

[1] Old office copy charter at Kinnaird: Registrum Magni Sigilli, p. 244, No. 3. In the Land of the Lindsays, p. 194, it is stated that Duthac Carnegie is designated of 'Kukyston' (Cookston), in this charter. It will be seen from the charter, that he is not so designated in it.

their subsequent erection into a barony, some account has already been given in the Introduction.

Soon after his settlement at Kinnaird, Duthac de Carnegie and his two co-proprietors, were involved in a dispute with Walter, Bishop of Brechin, proprietor of the adjoining lands of Farnell, regarding their respective rights to the moor of Farnell. In an instrument relating to the moor, dated 2d July 1410, Duthac is styled 'nobilis vir, Duthacus Carnegy, unus Dominorum de Kynnarde, juxta Kuikstoune.'[1]

The bishop had the best of the dispute; and the decree of the Sheriff of Forfarshire, by whom the case was ultimately decided, was pronounced in a very formal manner, through his Dempster or Doomster, 'Rowine of Deere.' The decree, which is recorded in the cartulary of the Bishopric of Brechin, and which narrates the various steps of procedure in the cause, although somewhat lengthy, is curious, and deserves a place here :—

Tyll all that thir lettres heris and seis, Alexander of Ogilby, lord of Ouchterhouss, and schref of Anguss, gretyng in God ay lestand, we mak a' knawin berand witness til suythfastness as we awe ado of our office, that reuerend fathir in God Walter, throu Goddis sufferance bischope of Brechine, ffand ane borch in our hand as schref, in this forme, sayand, we, Walter bischop of Brechine, says to you schir schreff, that the moir lyand to the manyss of Fernwell is the kirkis of Brechine and our propirte, and our predecessouris hes beine, and we pessablie in possessioun of the said moir and land, and of the pastuir of it, and we a borch findis that we aw nocht to be distroblit in our possessioun, na thir aw na man othir clamand for nane naykit wourd haiff pastour in our proper muyr, na cast turwiss in our foirsaid moir. The quhilk borch David Panter, Dutho of Carnegy and William of Crawmond calland thaim lardis of Kynnard, recontret ; the quhilk recontre thai affermyt with ane borch, and than the bischop streykyt ane borch, that the foirsaid partye aw nocht till wiss the foirsaid possessioun, nothir with pastour, na fewell, turfe, nor heddir, quhyll it war determinit betuix thaim ; the quhilk borrowis we gart inrolle, and with assent of bayth the partyeis assingnit thaim our schreff court to be haldine on Lammas ewyne nixt following, at the foirsaid moirsyd towart Fernwell, to tak ther determinacioun of thir borrowis as law will. This was done in the chaptre of the cathedral kirk of Brechine, the secund day of Julii, the yer of our Lord, ane thousand four hundretht and ten, and syne wpon the foirsaid Lammass ewyne, in the court haldine at the foirsaid moirsyid of Fernwell, the partyeis foirsaid callit and apperand, the bischop rehersand his borch, the tothir part sayand that was nocht

[1] Registrum Episcopatus Brechinensis, vol. i. p. 27.

fundyng in sic form, for thy that the rollement was nocht in that court reddy, and the bischop reportit hym till the rollement. The court delait the determinatioun till ane othir court, and we assignit til the partieis the law day and hed court nixt eftir Michelmess nixt to cum, at Forfar, to tak ther determinacioun as law will. And at the law day eftir Mychaelmes, at the schref court haldine at Forfar, the parteis foirsaid apperand in the court, the rollement red and the parteis awaiand to the court wpon bayth the sidis, and eftir thair awaieis withdrawand thaim, and fyndis borrowis of thair entre as custum is, the court awisit and the partyss callit in, it was said to the partyeis that that day the court culd [not ?] be awisit to determine the afoirsaid borch̃, bot distolatit and respitit till ane othir court for to be bettir awisit, and than we assignit thaim the court to be haldine at Forfar the tend day of Nouember nixt followand, to tak than thair determinacioun of the court of thair foirsaid borrowis, and at the schref court, haldine at Forfar the tend day of Nouember foirsaid, the bischop and his partye apperand, the bischop askand determinacioun and warde of his borrowis fundyne. Eftir thair awaieis the partye, as the custum is, withdrawand thaim fyndand borrowis of thair entre, the court awisit callit in the foirsaid parteis, be a deput of the court was said to the parteis that the court was waik that day, and mony of the grit baroniss war absent, and thairfoir thai respitit the determinacioun of thair borrowis till the law day, and the heid court nixt eftir Zuill, to be haldine at Forfar befoirsaid; and at the heid court haldine at Forfar wpon the law day eftir Zuill, the Setterday the tent day of Januar, in the zer of grace befoir writine, the parteis foirsaid apperand at Forfar in the court, the bischop askit determinacioun and ward of his borrowis, the quhilk war respitit in to thre courtis befoir, the rollement red, and the bischop awaiand for his part, David Panter foirspekar for the tothir part renunsit til the recontre thai hed maid befoir. Neuirtheless efter syndry altricationiss and wordis we bad the parteis ramwif and fynd borrowis til entire and heir the determinacioun of the court, the parteis ramwit the court awisit callit in the foirsaid parteis, the quhilk enterit and than of deliuerance of the baronis and the court, the borrowis rehersit the dempstar of the court, Rowine of deere, gaf dome in this forme, sayand, this grit court wardis and I gif for dome that the bischop of Brechineis borrowis foirsaid is of wertu and force, and Dauid Panter, Dutho of Carnegy and William of Crawmond in sic amerciament as thai aw to tyn in to this court for the wranguss reconteryng of the said borch̃ fundyne throu the bischop, wpon the quhilk dome the bischop askit anc instrument. The quhilk dome was gewyn at Forfar, the day and zeir foirwretin, in presence of noble and mychty lordis, Jhone Stewart the sone of our lord the duic of Albanye, gouernour of Scotland, lord of Buchane, Alexander the Lyndsay erl of Craufurd, den Walter Panter, abbot of Abbroth, den Thomas abbot of Jedwart, den James off Keitht priour of Rostinoth, Dauid the Lindsay lord of Kynneffe, schir William the Lindsay lord of Rossye, William the Fenton lord of the Baikye, William (*sic*) of Fentoun his brothir, Johne of Ogilby undirschref, Maistyr Cuthberth den of Brechine,

Schyr Gilbert Broky chantour, Maister Dauid of Edwy archden of Brechine, Maister Thomas Bell vicar of Montroiss, official of Brechine, Johne of Setoun, James Lamby our schref clerk, and the haill court; and in witness of all this, our seil we haf sett . to zir lettres maid out of rollement of court, zeir, moneth, and day foirsaid.[1]

Duthac de Carnegy was probably dissatisfied with this judgment, but a more engrossing contest which arose at this time, prevented his troubling the bishop further about the moor of Farnell.

The last Earl of Ross of the ancient line, left an only daughter, Euphemia Ross, who married Sir Walter Leslie. They had a son, Alexander, and a daughter, Margaret, who married Donald, Lord of the Isles. Alexander, the son, became Earl of Ross, and married a daughter of the Duke of Albany. They had an only daughter, Euphemia, Countess of Ross. She became a nun, and resigned the earldom of Ross to her uncle, John Earl of Buchan. The Lord of the Isles claimed the earldom in right of his wife, and maintained that the Countess, by taking the veil, forfeited her civil rights, and that the earldom belonged to Margaret, wife of the Lord of the Isles. The Governor Albany decided against this view of the case, and in favour of the Earl of Buchan, to whom he confirmed the earldom of Ross. The disappointed islander, knowing his power as a chief, resisted the decision of Albany, took forcible possession of the earldom, carried his arms through Moray, arrived at Garioch, and threatened Aberdeen. Alexander Stewart, Earl of Mar, an experienced soldier, was commissioned by the Regent Albany to check these violent proceedings. Duthac de Carnegie, with many of the barons of Angus, hastened to support the royal cause. Their eagerness was not entirely disinterested. Donald threatened, after sacking Aberdeen, to lay waste the country between that town and the Tay. Had he been successful, Duthac and his friends in Angus must have suffered severely. On the eve of the festival of St. James the Apostle, 24th July 1411, the rebels were met by the royal forces at Harlaw, about ten miles north-west of Aberdeen, and a furious battle ensued, which was not decided when night came on; but, as the rebels retreated before morning, leaving the Earl of Mar in possession of the field, he claimed the victory. Buchanan, in his account of the battle

[1] Registrum Episcopatus Brechinensis, vol. i. pp. 29-32.

of Harlaw, remarks that more noble and illustrious men were killed there than in the wars of many previous years. Amongst them was Duthac de Carnegie. This sanguinary battle made a deep impression on the national mind, and is the frequent subject of poetry and song.

Duthac de Carnegie was succeeded by his son,

VI.—Walter de Carnegie, second Laird of Kinnaird, 1411-1479.

The earliest writ still extant in which this name appears, is a charter dated 8th January 1438, by which John Clerkson, son and heir of Mariota Tenand, conveys to Walter de Carnegie all his lands of Litil Carcary, namely, the sixteenth part of the same, and the eighteenth part of Kynharde, and his annual-rent from Balnamoon, all in the county of Forfar.[1] Walter is not named as the son of Duthac in any writ now remaining at Kinnaird. But there cannot be any doubt that he was his son, as he inherited the lands of Kinnaird and Carcary, and the right to Balnamoon, which were originally acquired by Duthac. In an instrument of resignation made in the court of the Bishop of Brechin by John of Ogilby of Lintrathen, Knight, and Robert of Fowlartoun, and others, as procurators for a noble woman, Janet of Ogilby, mother of the said Robert, on 2d June 1446, mention is made of the seal of 'Wat of Carnegy,' as appended to a lease by her of the lands of Marytown.[2] Walter Carnegy of Kynnarde appears as a juror at the arrangement of the marches, and divisions of the lands of Menmuir, between the Bishop of Brechin and John de Cullace, on the 12th and 13th October 1450; and his son Walter, under the name and designation 'Waltero Carnegy, filio Walteri Carnegy de Kynnarde,' was a witness to the instrument then made.[3] Walter Carnegie of Kinnaird was also on the assize concerning the rights of the mill of Achdouy on the 19th March 1452, when it was declared by the jury, through their prolocutor, that these points were contained in the schedule under discussion: 'primo the xiii fat of al that cumis to the myl of Achdouy to

[1] Original Charter at Kinnaird. *Vide* Appendix, p. 514, No. 64.

[2] Registrum Episcopatus Brechinensis, vol. i. p. 108.

[3] Registrum Episcopatus Brechinensis, vol. i. pp. 148, 150.

'grynd be Alexander Wricht and his coteris of the toun of Achdouy, and 'the xx fat of it that gays away; Item his part of the dam and the myl 'hows; Item the uphaldyn and the reddyn of the myl laid; Item his part 'of the brygyn of the myl hed; Item thryl to the deray corn and meil and 'rycht swa to the seriand, that is to say of ylke husband an thraf of corn 'and half an ferlot of meil, and of ylke coter ane pek; Item, the bryngyn 'haym of the mylstan quhen it fallis tyl him; Item an boll of ryng ber of 'ylke pluch; Item thyrl to the smethy of ix ferlotis of meil of the pluch; 'Item the bygyn of the smethy.'[1]

A year or two later the Laird of Kinnaird was occupied in a much more serious dispute, nothing less than a civil war between his sovereign and some of his powerful subjects. In this war the castle of Kinnaird was destroyed, and with it perished all the charters of the lands of Kinnaird and Little Carcary, as well as almost all the written proofs of the 'fortunes, 'marriages, and successione' of the Carnegies of Kinnaird.

During the minority of King James II., a league, offensive and defensive, was formed between three powerful noblemen, William, the eighth Earl of Douglas, Alexander, the fourth Earl of Crawford, commonly called 'the Tiger' from his ferocity, and 'Earl Beardie' from his great beard, and Macdonald of the Isles, the titular Earl of Ross. So long as they held together, the power of these Earls was greater than that of their King, who, feeling that it was hopeless to oppose them by open force, invited Douglas to Court, ostensibly for the purpose of persuading him to break the league. Douglas was doubtful of the King's intentions, and refused the invitation until his safety was guaranteed by a royal letter. On receiving this, he repaired to the King, at Stirling Castle, where he was hospitably received.[2] After supper, the two retired to an inner chamber, where the King tried to persuade Douglas to break his league with Crawford and Ross, but in vain; at length, losing patience, he exclaimed that he would break it himself, and, drawing his dagger, plunged it twice into the heart of Douglas. Whether this crime was planned beforehand, or committed on the impulse of the moment, the conduct of the King was equally unjustifiable, especially after having granted a safe-conduct to his enemy. The Parliament, which

[1] Registrum Episcopatus Brechinensis, vol. ii. pp. 85, 86.

[2] 2d February 1451.

shortly afterwards held that it was lawful for the King thus to execute summary justice, must have been curiously constituted. The brothers of Douglas denounced the King as a perjured prince and merciless murderer, and Crawford his confederate rose in arms to avenge the death of his ally. The Earl of Huntly, who had recently been raised to that dignity by the King, was now Lieutenant-General of the kingdom, with a special commission against Crawford, which he lost no time in putting in force. The King's banner was displayed, and amongst the numerous barons and commoners who flocked around it, was Walter Carnegie of Kinnaird. The armies of Huntly and Crawford met on Ascension Day, 18th May 1452, at the Haercairn on the moor, about two miles north-east of the town of Brechin, and on the confines of the parishes of Brechin and Stracathro; the field of battle occupied a square of three or four miles.[1] A sanguinary conflict ensued, which is known in history as the battle of Brechin. The greatest bravery was shown on both sides, and victory seemed at different times to be on the side of the army of Crawford, whose fierce fighting to secure it, showed how appropriately he was called 'the Tiger.' He, however, lost the battle by refusing to grant to one of his followers, John Collace of Balnamoon, who commanded the left wing of the Angus billmen, part of his barony of Fearne, which was adjacent to Balnamoon. Collace, who was annoyed at the Earl's refusing to grant his request, watched his opportunity at a certain moment of the contest, to withdraw his assistance, and thus turned the tide of victory in favour of Huntly.[2]

[1] On the highest point of the rising ground on the north side of the battle-field, there is a large, rude oblong stone, which is indiscriminately called 'Huntly' and 'Earl Beardie's stone,' and here, it is said, one or other of the chiefs planted his banner. The whole of this height is known by the name of 'Huntly Hill' (so called, doubtless, in honour of the victorious captain). It commands one of the finest views of the lands of Edzell, and of the mountains of Glenesk and Lethnot.—[Land of the Lindsays, p. 149.]

[2] A curious story is told respecting Huntly on the morning of the battle, which contrasts singularly with the story of Beardie and Collace. The victorious Earl was himself a Seton in the male line, and a Gordon in the female line; his father, Sir Alexander Seton, having married Elizabeth Gordon, the heiress of Huntly. In appointing his commanding officers on the morning of the battle of Brechin, he placed one of his sons, at the head of the Gordon clan, when the Laird of Pitlurg, as chief of the Gordons, claimed the leadership. Huntly refused his request, and Pitlurg, drawing himself aside, and taking his black bonnet off his head, waved it aloft, exclaiming—

Crawford fled to his castle of Finhaven, furious at having suffered a defeat in the heart of his own country. One of Huntly's followers got entangled with Crawford's party in his flight, and went with them to Finhaven, where he heard the Tiger venting his rage in the most unmeasured terms. To have gained the honour of such a victory as had that day fallen to Huntly, he declared, that he would be content to hang seven years in hell by the 'brecrs o' the e'c' (the eyelashes).[1]

In this battle, Huntly lost two brothers, and Crawford one, and many followers were lost on both sides. Walter Carnegie of Kinnaird escaped unscathed in person, but he was soon after made to suffer in his property. Huntly had to hurry north to stop the ravages committed on his own property in Strathbogie by the Earl of Murray. During his absence, the Tiger took his revenge on Collace, and on all in the neighbourhood who had opposed him. He burned the Castle of Kinnaird, belonging to Walter Carnegie, and all the family muniments preserved there perished in the flames; a calamity which no royal bounty could afterwards replace.

Walter Carnegie, however, endeavoured to supply, to some extent, the loss of his family papers. On a complaint to King James II. he obtained a royal letter or brieve for an 'inquisition of knowledge' into the circumstances. The King's letter bears that it had been lamentably complained to his Majesty, by Walter Carnegie of Kinnaird, that in the wars between the Earls of Huntly and Crawford, his mansion-house had been burned, and the charters of his lands of Kinnaird and Little Carcary destroyed, and charges the Sheriff of Forfar to make inquiry, by an inquest, how and by what service Walter Carnegie and his ancestors held these lands of the King and his predecessors. A contemporary transumpt of the brieve and of the verdict of the inquest is in the following terms:—

'A' that's come o' me, follow me!' when the whole clan deserted Huntly, and rallied around Pitlurg. The Earl immediately submitted, and good-humouredly said, 'Gentlemen, you have overcome me; I yield it to you! Pitlurg, command the Gordons! And now that you have got the better of me, let me see that you beat Crawford.' —[Old Statistical Account, vol. xi. p. 293.]

[1] Lord Lindsay's Lives of the Lindsays, vol. i. pp. 137-8, where there is a minute account of a fine silver cup, since known as the 'Assaunlee Cup,' now in the possession of Mrs. Gordon of Cobairdy. It was carried off from Finhaven by the intruder into the enemy's camp, and presented to Huntly at Brechin as a token of his having bearded the Tiger in his den.

This is the eopy of the kyngis lettrez, worde o word, trevly transsumit be me Dauid Guthery, sehirawe elerk in the tyme, and notar publike, as efter folovis: James, be the graee of God Kyng of Seottis, till ovre sehiref of Forfare and his depuitis, greetyng: Foralsemikill as it is lamentabely eomplenzeit till vs be ovre louet Wat of Carnegi of Kynarde, that, in the tyme of the were betvux ovrez eusyngis Alexander Erele of Huntle and Lorde Gordone, and vmquhile Alexander Erele of Cravfurde and Lorde Lyndisaye, his mansione wes brvnt and his eharteris of the landis of Kynnarde and Litill Carkry war thair throw analijt and distroyit, Ourez will is thairfore, and we eharge zu that ze mak a suffieiande knavalage pas of the best and worthiest personeis within the bovndis of zurez offiee, to serehe, se, and inquere how the elderis of the saidis Wattis held the said landis of ovrez predieessovris and vs, and how the said Watt haldis thaime of vs, and be quhat seruiee, and, as sall be fundyn be the said knavlage, eertyfy vs thairappon vnder zure seile, and the seillis of thaime that passis vpoun the said knavlage, togidder with thirz ovrez lettrez vnder all payne and eharge that efter maye folow, the quhilk to do we eommit to zu ful powere be thirz ovrez lettrez, gifyn vnder ovrez signete at Edynburgh, the sextene daye of the moneth of Januare, and of ovre regnne the avttene zere. In this manner as eftir folovis thirz presentis lettrez ar seruit and retovrit: This Inquisicione of knavlage made at Forfare before Thomas of Fentone of Ogill, depute to Alexander of Ogiluy sehirafe of Forfare, the first daye of the moneth of Januare, the zere of God a thousand fovrehundrath fy[f]ty and fovre, be thirz personeis vndervryttyn, that is to say, William of Ouehterlovnie of Kellie, Thomas of Ogiluy of Clova, Johne of Ersken of Dvn, James of the Rynd of Broxmouth, Patrik of Gardyn of that ilke, William of Guthery of Glenquharady, John Wisehart of Balindarg, William Sumyer of Balzordy, John of Guthery of Esse, Alexander Lamby of Duneane, Thomas of Cravmvnd, Johne of Sterlyne of the Breky, George of Wellame of the Woodwra, Watt the Ramsaye of Cavnterland, and William of Gardyn of the Burovfeade, the quhilkis, the grite aith sworne, saijs that the elderis of Wat of Carnegy held the landis of Kynnard and Litill Careary, with thairz pertinents, liand in the thaynedome of ald Munroes, within the sehirefedome of Forfare, of the predieessovris of ovrez souerane Lorde the kyng, and of ovrez Lorde the king that now is, and at the said Wat holdis the saidis landis of the kyng for the serwise of the kepeing of the kyngis ale sellare, within the sehirefedome of Forfare, quhen the kyng hapinys to reside thair, and quhen he is lavfuly warnyt, and for a penny in name of blanehe ferme an it be askyt. In fath and wytnes hereof, the seile of the offiee of the sehirefdume of Forfare, togidder with the seillis of sum of thaime that war apoun this inquisieione to be made to thirz lettrez, ar appendit, zere, daye and plaee forsaidis.[1]

[1] Contemporary Transumpt of Brieve and Retour at Kinnaird. The original Brieve and Retour are not now known to exist. The latter is described in the Retour of John Carnegie, fourth of Kinnaird, dated 16th May 1508 [page 22, *infra*]. The transumpt is en-

There has been some discussion as to whether the Earl of Huntly or the Earl of Crawford burned Kinnaird. Lord Lindsay, in his Lives of the Lindsays, states that the ancestor of the Southesk family joined in Earl Beardie's rebellion, and that Huntly burned the castle of Kinnaird in consequence.[1] But this statement is not supported by any authority, and it is certainly a mistake. Crawford, although a relative, was not the feudal lord of Walter Carnegie, who, unlike Collace and other vassal supporters of Crawford, held his lands of Kinnaird from the King as his direct superior, and joined the royal forces. In an old account of the Carnegie family, it is said that Walter Carnegie, having, under the sense of his duty to his sovereign, joined the Earl of Huntly, had his house and charters miserably burnt by the Earl of Crawford after the battle of Brechin, fought 1st May 1452.[2]

There is very little recorded of Walter Carnegie after the battle of Brechin. On the 21st December 1461, he received a charter of an annual-rent of two merks out of the lands of Cookstoun;[3] and he died before 24th May 1479, on which date his son John was infefted as heir to him in the lands of Kinnaird and Little Carcary. The name of the wife of Walter Carnegie has not been ascertained, but it is probable that she was a lady of the Lindsay family, as David the fifth Earl of Crawford, afterwards Duke of Montrose, calls John Carnegie the son of Walter, his 'richt vel belufit cusing,' in a grant in his favour of the lands of Tulibirnys, in the lordship of Glencsk, dated 4th November 1480.[4] Walter Carnegie had two sons,—

1. John, who succeeded his father in Kinnaird.
2. Walter, who, on 12th and 13th October 1450, witnessed the instrument already mentioned regarding the marches of the lands of Menmuir. This is, indeed, the only notice of Walter Carnegie the younger, and he probably died unmarried.

grossed in a small and very neat hand, on parchment, and consists of nineteen lines and six words. There are seventeen tags attached, mostly entire, without seals, but having written on them the names of the inquest. From the fading of the ink, portions of the transumpt are now very faint, and nearly illegible. The brieve, according to the transumpt, is dated 16th January and eighteenth year of the king's reign [1455], which is probably a mistake for the sixteenth year [1453], as the date of the inquest is 1st January 1454.

[1] Lives of the Lindsays, vol. i. p. 140, note.

[2] Original Account, MS. at Kinnaird.

[3] Registrum Episcopatus Brechinensis, vol. ii. p. 99.

[4] Original Grant at Kinnaird.

VII.—John Carnegie, Third Laird of Kinnaird, 1479-1508.
—— Waus, his Wife.

John Carnegie succeeded his father before the 24th of May 1479, on which date he was infefted by the Sheriff of Forfar in the lands of Kinnaird and Carcary. The testimonial of sasine given by the Sheriff-depute shows the peculiar form of infeftment then used. The testimonial is as follows:—

Till al and sindry to quhais kuawlege thir present lettres sal to cum, Henry Fothringhaime in the Botht, Schiref deput of Forfar, in that pairt specialy constitut, greting: Sene meritabill it is to beyr leil and suthfast witnessing quhare the occultatioun of the verite ma caus and genere preiudice to innocentis, and namely in the thingis that ar tretit aud producit in iugisment be executiouu of our soueraine lordis officiaris; heirfore to zour vniuersiteis I mak it knawin, that I past wyth autentik witness, the xxiiii. day of the moneth of Maii, in the yere of God, 1m iiiic sevinty and nyine zeris, to the landis of Kynnard and Litil Carcary, liand wythin the schirefdoime of Forfar; and thair I gaif sesing and possessioun heratabil of the saidis laudis of Kynnard, ane auchtand pairt of the sammyne except, and of the landis of Litil Carcary forsaid, ane auchtand pairt and ane sext pairt of the sammyne landis except, wyth ane annual rent of ij merkis of the landis of Balnamone wyth thair pertinentis, liand wythin the said schirefdome, to Jhone of Caruegy, sone aud ayr to vmquhil Valter Carnegy of Kynnard, be zerd and stanc, and closing of the said Jhone in a hous of the principal chymmes of the saidis landis of Kynnard and Litil Carcary, aud opinnying of the sammyue, as vse and wont is iu sik thingis to be done, eftir the tenour, forme aud effect of our soueraine lordis precept of sesing directit thairupone, and al the poyutis contenyt in the sammyne: and for the mare securite and witnessing of this my executioun, I ressauit a sesing ox, gra horuyt and quhit chekit, and takin of sesing gevin to the said Jhone; and this I did at the saidis landis, day and zere befor writtin, befor thir witnes, Jhone of Hill, Cuthbert Speid, and Patrik Pettare, and schir James Wilzamesouu chaplauc and notar publik, wyth mony wtheris and diuers: and for the mayr sikaranes of this my executioun, to this present testimonial I haif appensit to my proper seil of armes.[1]

Although John Carnegie was Laird of Kinnaird for nearly thirty

[1] The seal is still appended, but it is very indistinct. It appears to be an eagle displayed standing on a butt or tun. But this cannot be affirmed with certainty. There is no legend on the seal.

years, very little is known of his personal history. He is one of the few lairds of this family whose fortune it was to spend a peaceful life. Unlike his father and grandfather, and his own son, he was not engaged, or at least not prominently, in any memorable battle, and the quiet life which he led furnishes at this distant day little worthy of commemoration.

In the year after his succession to Kinnaird, John Carnegie was befriended by his cousin David, the fifth Earl of Crawford, afterwards Duke of Montrose, the son of that Earl Alexander who burned the house of Kinnaird. Earl David took John Carnegie under his special protection during all the days of his life; and in the deed, which is dated 4th November 1480, he calls John Carnegie his 'richt vel belufit cusing,' and also his 'tender cusing.' For the manrent and service of John Carnegie rendered and to be rendered to the Earl, he grants to his said 'cusing' the lands of Tulibernis, in the Lordship of Glenesk and shire of Forfar, during all the days of the life of the Earl, who received in exchange a letter of manrent from John Carnegie.[1]

This Laird of Kinnaird died on or about the 15th April 1508, as appears from the retour of his son John Carnegie, as heir to him in the lands of Kinnaird and Little Carcary, which bears that the lands had been in non-entry for the space of a month, or thereby, from the 16th of May 1508.[2] The name of the wife of John Carnegie has not been ascertained, although it is certain that he was married, and had a son who succeeded him. His wife was probably a lady of the name of Waus, who is stated by peerage writers to have been the wife of his son John Carnegie. But as the same writers omit the marriage of that son to Euphame Strachan, who survived him, and give him for wife the Waus lady, it is probable that they are mistaken, and that she was the wife of the father, not of the son, who certainly married Euphame Strachan.[3]

[1] Original Grant at Kinnaird. In 1682, Carnegie of Balnamoon was proprietor of Tillibirnie, in the parish of Navar. The house is then described as being well accommodated in grass parks and meadows.—[Ochterlonie's Account of Forfarshire.]

[2] Original Retour, *ibid.*

[3] It is also probable that the Waus lady was of the family of Waus of Many, in the county of Aberdeen. In 1556 John Carnegie, the grandson of John Carnegie, fourth of Kinnaird, married Margaret Waus of Many.

VIII—John Carnegie, Fourth Laird of Kinnaird, 1508-1513. Euphame Strachan, his wife, 1509-1513.

John succeeded his father in Kinnaird and Carcary in April 1508, and was served heir to him on the 16th of May thereafter, as appears from the retour of the service, of which the following is a translation :[1]—

This inquest was made at Dundee, in the Court-house thereof, before an honourable man, Thomas Maxwale, Sheriff-depute of Forfar, on the sixteenth day of the month of May, in the year of our Lord one thousand five hundred and eight, by these faithful men underwritten, namely, Sir William Maxwale of Telline, Sir Thomas Mawle of Panmure, Knights, Thomas Fothringham of Pourie, Dauid Rollok of Memus, Thomas Fentoune of Ogill, John Gardin of Burrowfeld, Thomas Mortymer of Flemyntoune, Alexander Strathachin of Balmadde, James Scrimgeour, Robert Lyddale of Panlathe, Walter Lyndesay of Skryne, Dauid Oliuer de Gagy, and John Foret of that ilk : who being sworn, declare that the late John Carnegy of Kynnard, father of John Carnegy, the bearer of these presents, died last vested and seised as in fee, at the peace and faith of our Sovereign Lord the King, of all and whole the lands of Kinnard, with their pertinents, except an eighth part of the same ; and also of all and whole the lands of Litil Carcary, except an eighth part and a sixth part of the same, lying within the shire of Forfar ; and that the said John is the lawful and nearest heir of the said deceased John, his father, of the said lands, with their pertinents, excepting what is now excepted ; and that he is of lawful age ; and that the said lands are now worth twenty pounds yearly, and in time of peace five pounds ; and that the said lands, with their pertinents, are held in chief of our Sovereign Lord the King ; and that the ancestors of the said John in all past time successively held the said lands for the service of blench farm, as is contained in the precept of sasine from the King's Chancery directed to the Sheriff of Forfar and his bailies for giving sasine of the said lands to the foresaid John Kinnard [Carnegie], last possessor of the same, and in an authentic retour made before the said Sheriff for the time being, at the command of letters from our Lord the King, with the certain seals of those who were present at the said inquest, with the seal of the said Sheriff for the time being, purporting in itself that the said lands are held of our Lord the King for the service of keeping the ale cellar of our Lord the King within the shire of Forfar, when our Lord the King shall happen to reside there, and when he has been lawfully warned, and for one penny in name of blench farm, if it be asked : Because, as is set forth in the said retour, the mansion of the deceased Walter Carnegy of Kinnard, the grandfather of the said John Carnegy,

[1] *Vide* Appendix, p. 524, No. 78, for a copy of the Retour.

was burned and destroyed in the time of the wars between the Earl of Huntly, Lord Gordoun, and the Earl of Craufurd, Lord Lyndesay, in which mansion were the charters of the said lands of Kinnard and Litil Careary, and which were entirely lost and destroyed: And they declare that the said lands, with their pertinents, are now in the hands of our Lord the King, as in the hands of the lord superior of the same, through the death of the said deceased John, on account of the non-entry of the same John, the bearer of these presents, for the space of one month or thereby. In faith of which, and testimony of the truth of all the premises, the seals of some who were present at the said inquest, together with the seal of office of the foresaid Sheriff enclosed, are appended to these presents, in the year, day, month, and place above written.

John Carnegie was infefted in the lands of Kinnaird and Little Carcary on the 7th of June 1508;[1] and, on the 26th of November following, he gave a horse of a grey colour to the chaplains of Brechin 'for le herzeld' of the late John Carnegie of Kinnaird, his father.[2] Soon after his succession, John was called on to take up arms on behalf of his sovereign, King James IV., who was then engaged in the unfortunate invasion of England, which terminated in the fatal field of Flodden, 9th September 1513. Amongst the Scottish barons who fell in that conflict was John Carnegie of Kinnaird.[3] In former accounts of the family, this Laird of Kinnaird is said to have married a lady of the name of Vaus; but, as already explained in the Memoir of his father, it is more probable that this lady was the wife of his father. It is certain that this laird married, before 15th March 1509, Euphame Strachan, as on that date John Carnegie of Kinnaird and Euphame Strachan, his spouse, received from Alexander Jamesone a charter of his fourth part of the lands of Cookstoun, in the barony of Rescoby and shire of Forfar. In the precept which was granted by Alexander Jamesone for infefting John Carnegie and his spouse in these lands, Robert Strachan of Balhussy and Thomas Strachan of Auchlar are named two of the bailies; and it is probable that Euphame Strachan was related to them.[4] John Carnegie and Euphame Strachan were infefted in the lands of Cookstoun on the 27th March 1510.[5] She survived her husband, John Carnegie, as appears from the retour of his son, Robert Carnegie, dated 7th

[1] Original Instrument at Kinnaird.

[2] Registrum Episcopatus Brechinensis, vol. ii. p. 161.

[3] Retour of his son, page 25 hereof.

[4] *Vide* Appendix, p. 525, No. 79.

[5] Original Sasine at Kinnaird.

November 1513, when she was in possession of her terce lands as relict of John, the father of Robert.

John Carnegie of Kinnaird had one son and one daughter.

1. Robert, who succeeded him.
2. Janet, who married William Maule of Boath, second son of Sir Thomas Maule of Panmure. They had two sons, Thomas, who was killed at the battle of Pinkie, and David, who acquired the lands of Boath. The latter married Catharine, daughter of David Balfour of Tarrie, and had a son, David Maule of Boath, who married Katharine, only daughter of David Lindsay of Kinnetles.[1]

IX.—Sir Robert Carnegie fifth of Kinnaird, Knight, 1513-1565. Margaret Guthrie (of Lunan), 1527-1571.

Robert Carnegie, although under age when his father fell at Flodden, was entitled to be served heir to him in the estate of Kinnaird, in virtue of the Act of Parliament which was passed by King James IV. on the 24th of August 1513. The proclamation of the Act is dated at Twiselhaugh, in Northumberland; and it was made, during the advance of the King, for the encouragement of his army. It provided that the heirs of those who fell in the campaign should be entitled to enter heirs, even when under age, to their ancestors, and without payment of the usual feudal fines. In virtue of this Act, Robert Carnegie was served heir to his father in the estate of Kinnaird about two months after his father's death. The retour narrates that the lands of Kinnaird and Little Carcary had then been in the hands of the King for eight weeks since the death of John Carnegie, the former proprietor. The retour is still preserved at Kinnaird. It contains the names of the inquest before whom the service was expede, the peculiar feudal holding of Kinnaird, and other information. It is thus an important document, and a translation of it is here given :[2]—

[1] 'House of Panmure,' p. 96, MS. at Panmure.

[2] *Vide* Appendix, p. 526, No. 80, for a copy of the Retour.

This Inqnest was made in the Conrt-house of Dnndee, before the honourable meu, Gilbert Gray of Buttergask, and Danid Maxwale of Ballodrane, Sheriffs-depnte of Forfar, coujunctly and severally, on the seventh day of the month of November in the year of our Lord one thonsand five hundred and thirteen, by these faithful men underwritten, namely, Williâm Ramsay of Panbrid, James Rollok of Fethe, Alexander Guthre of Kinblathmont, Thomas Bawfonr of Dovin, James Strathachin of Balmadde, Patrick Boys of Panbrid, John Ramsay, John Ayr, Alexander Livale, Alexander Kyd, Andrew Thorntoune, Thomas Strathachin, and John Achlek; who being sworn declare that the late John Carnegy of Kinnard, father of Robert Carnegy, the bearer of these presents, died last vest and seised as of fee at the peace and faith of onr Sovereign Lord the King of all and whole the lands of Kinuard with their pertinents, except an eighth part of the same, and of all and whole the lands of Litill Carcary with their pertinents, except an eighth part and a sixth part of the same with the pertinents, lying within the shire of Forfar; and that the said Robert Carnegy is the lawful and nearest heir of the said deceased John, his father, of the said lands with the pertineuts, excepting what is now excepted; and that he is of lawful age by the dispensation of onr Sovereign Lord the King, by virtne of his Act and Statute made at Twyssill in Northnmberland, at the time of his army there, with the privileges contained in the same, in regard to those and their heirs as to whom decision was therein given; and that the said lands of Kynnard and Litill Carcary, excepting what is presently excepted, are now worth twenty pounds a year,[1] and in time of peace five ponnds; and that the said lands with the pertinents are held of onr Lord the King for the service of keeping the cellars of our Lord the King within the shire of Forfar, when our Lord the King shall happen to reside there, and when he has been lawfully warned, and for one penny in name of blench farm, if it be asked only; and that the fee of the half of the said lands of Litill Carcary which belonged to the said deceased John Carnegy of Kinnard is now in the hands of onr Lord the King, bnt the freeholding of the same half part of the lands of Litill Carcary with the pertinents is now in the hands of Ewfamia Strathachin, sponse of the said deceased John Carnegy, by reason of the conjunct infeftment given to the said John and Ewfamia Strathachin, his sponse, but the remainder of the said lands of Kinnard and Litill Carcary foresaid, with the pertinents, excepting what is presently excepted, is now in the hands of our Lord the King, as in the hands of the lord superior of the same, throngh the death of the said deceased John Carnegy, on account of the non-entry of the said Robert for the space of eight weeks or thereby: In faith of which, and testimony of the truth of all and sundry the premises, the seals of some who were present at the said inqnest, together with the seal of office of the foresaid Sheriff enclosed, are appended to these presents in the year, day, month, and place above written.

[1] These lands are now worth more than £2000 a year, although two-thirds of them are occupied by the park and grounds.

Between the years 1530 and 1560, Robert Carnegie of Kinnaird added largely to his possessions in the county of Forfar, where he acquired the lands of Ethie, Idvy, Auchquhandlen, Fethies, Balnamoon, and others. He also acquired lands in the shires of Edinburgh, Aberdeen, Fife, and Linlithgow, as appears from many charters which were granted to him.[1] The lands of Ethie and Balnamoon were afterwards provided to younger branches of the family, and are still possessed by their respective descendants, as will afterwards be shown.

Besides adding largely to his family estates by new purchases, Sir Robert Carnegie made considerable additions to the mansion-house of Kinnaird in the year 1555, as has been already stated in the introduction.

Robert Carnegie adopted the law as a profession, and prosecuted it successfully. While the Earl of Arran was Regent of Scotland, during the minority of Queen Mary, he displayed abilities, and a capacity for the transaction of public business so eminent, that the Regent was induced not only to promote him in his profession, but also to employ him in various important embassies to France and England. Arran, indeed, consulted Robert Carnegie, and relied on his advice and assistance, during a great part of his regency. He made him a Senator of the College of Justice on the 4th July 1547. The commission narrates that there are divers of the College deceased, and others absent, wherethrough they are not a sufficient number to decide causes. On his admission, the Lords arranged that Carnegie should have no profit of the Session until there 'vaiked a place of one of 'the Lords Temporal, who had profit thereof before.'[2] He was about the same time made one of the privy councillors of the Regent.

In 1548 the Regent sent the laird of Kinnaird as his special ambassador to England to treat for the ransom of George Earl of Huntly, Chancellor of Scotland, who had been taken prisoner at the battle of Pinkie in the previous year. This embassy led to the release and restoration of Huntly, under the following circumstances, recorded by Lesly, Bishop of Ross, in his History :—

[1] Original charters at Kinnaird.

[2] Pitmedden MS., as quoted in 'Account of the Senators of the College of Justice,' p. 90.

The Protector of England would not agree to release Huntly for a ransom, but he consented that he might be allowed, under a sure guard, to pass to the Borders to meet his countess, for several days. Huntly set out from London in charge of Sir Ralph Avaine, who had captured him, and several other gentlemen, who were responsible for his safety, and arrived at Morpeth, the place appointed for his meeting with the countess, on the 22d of December 1548. By a stratagem Huntly escaped from his keepers at Morpeth, and reached Scotland, although the success of the stratagem was nearly defeated by his imprudent speech. While he was in Morpeth in charge of Sir Ralph Avaine, the arrangement made by the friends of Huntly was, that he should escape by means of swift horses provided by George Ker, a resident on the Scottish borders. When waiting the pre-arranged signal from Ker, the Earl, after supper and playing at cards, went to the window of the chamber, and perceiving, on looking out, the darkness of the night, and also the signal that all was ready for his departure, he incautiously said to himself, but in the hearing of his keepers, 'Ane mirk nycht, ane wearie nycht, ane wilsum way, and knowis 'not quhair to go, God be my gyd.' Sir Ralph Avaine, on hearing these expressions, demanded an explanation of them. The Earl answered that they were an old saying in Scotland, and were first used by the Earl of Morton when he was about to die. To allay suspicion Huntly returned to his game at cards, but soon found some excuse to retire, and giving his place to one of the bystanders, made his way out of the house where they were lodging, and was received by George Ker, who had provided horses for their flight. His keepers soon missed their prisoner, and gave immediate chase; but being unacquainted with the Borders, they were unsuccessful in their pursuit. Huntly reached Edinburgh in safety, and was received with great rejoicing by the Queen-Mother, the Governor, and the Countess of Huntly. The Earl was soon restored to his place as Chancellor, and as Lord-Lieutenant of the shires of Aberdeen, Banff, and Elgin.[1]

Huntly showed his gratitude to Robert Carnegie by intrusting him with the care of the Great Seal, and on 7th September 1550, when he went to France, by granting him a discharge of all sums received by him for the

[1] *History of Scotland*, by John Lesly, Bishop of Ross. Edinburgh: 1830. Pp. 220-222.

Seal. Huntly, at the same time, assigned to him the profits and duties of the Great Seal till his return from France. This discharge and assignation were granted in consideration of the good, true, and thankful service performed by Robert Carnegie of Kinnaird to the Chancellor, who calls him his 'louit familiar.'[1]

The next important mission of Robert Carnegie of Kinnaird, arose out of the peace which was concluded between Scotland and England, in the beginning of the year 1550. During the war, which had previously been carried on between the two kingdoms, the French had rendered very material assistance to Scotland. Now that peace was concluded, the Governor Arran sent Robert Carnegie as ambassador-extraordinary to the Court of France, to convey the thanks of the Scottish nation to Henry II. for the assistance he had rendered to Scotland in the recent war with England. Application was made to Edward VI. of England for a safe-conduct to Robert Carnegie, and to six persons with him, to travel through England. The following is the letter in which the application was made :—

Richt excellent, richt hie and mychty prince, oure darrest brother and cousing, we recommeud ws vnto you in oure maist hartlie maner : Praying you at this oure requisitioun to grant youre lettres of saulf conduct and sure pasport in dew forme to oure traist counsaloure Robert Carnegy of Kynnarde, quhume be the avis of oure darrest cousing, tutoure and gouuernour of oure realme, we have directit vnto oure darrest brother and confiderat the maist Cristin King of Fraunce, for performing of certane besines comittit vnto his charge concerning ws, and to sax persons with him in cumpany, salflic and surelie to resort within youre realme to quhatsumeuir towne, place or parte thairof, with horss, bulgettis, cofferis, fardellis, pacquetis, gold, siluer, cunzeit and vucunzeit, lettres clois and patent, and all vtheris thare necesseris for thair commodite and vse, and thairin to remane, do, and exerce thair lefull besines, thairthrou to pas to the partis of Fraunce, and be the samyn agane to returne within oure realme, but stop, truble, or impediment to be done to thame in thair passing or returnyiug in ony wis : And gif it happynis ony of the personis being with the said Robert iu cumpany to commit offence within youre realme (the committare thairof being pvnist in his avne persoun efter the quautite of the trespas), youre saulf conduct neuirtheles in the avne strenth to indure for the space of ane yere nixt efter the dait of the samyue but reuocatioune : Rycht excellent, richt hie and mychty prince, oure darrest brother and cousin, we pray Almighty God haue you euir in his blissit tuitioun : Subscriuit be oure said darrest cousing and tutour,

[1] Original discharge at Kinnaird.

and gevin vnder our Signet at Edinburgh, the xxvij day of Junii, and of oure Regime the nynt yeire.

Your Gracis hwmyll cowsyng, with serwyce leffwlly,

JAMES G.

To the richt exeellent, richt hie and mychty prince, oure darrest brother and cousing, the King of England.[1]

The French King took advantage of this embassy to inform Robert Carnegie of the wish of Mary the Queen-Dowager to obtain the office of Regent, and to have the direction of the business of Scotland, in place of the Duke of Chatelherault. Henry was willing to assist her in obtaining the regency, but only on condition that the Duke's resignation should be perfectly free and voluntary. In order to secure this, the Queen-Mother had already prevailed on King Henry to confirm the Regent in the French Duchy of Chatelherault, which had been originally conferred on him on the occasion of the marriage of Mary to the Dauphin, but of which he had hitherto only enjoyed the title. Henry now intrusted the territory of the Duchy to Robert Carnegie, who appointed a relative of the Governor's, James Hamilton of Orbiston, to take charge of it, including the town and palace of Chatelherault. Henry also made the Duke's eldest son, James Earl of Arran, captain of all the Scottish forces then in France. These, and other marks of the French King's favour, promised to the Regent and his friends, were expected to insure his resignation. Robert Carnegie was the firm adherent of the Duke, to whom he owed his promotion, and his employment as ambassador, so that he was placed in a very delicate position. This seems to have prevented him from being very earnest in pressing the Regent to resign, and the French King found it necessary to employ David Panter, Bishop of Ross, then the ordinary ambassador from Scotland to France, to support the representations made by Robert Carnegie. The Bishop, who was more earnest, or at all events more successful, induced the Regent to promise to surrender the regency within a short period, in favour of the Queen Mother. For this service the King of France rewarded the Bishop with an abbey in Poictou. The Regent, however, postponed his resignation from time to time, until, through the manœuvres of the Queen-Dowager, he found himself deserted by nearly

[1] Original letter in Public Record Office, Chancery Lane, London.

the whole of his party, when he at length gave up his office in her favour. The surrender was formally carried out in the Parliament held at Edinburgh on 10th April 1554, and the new Regent was proclaimed on the 12th of the same month.[1]

Before going as ambassador to France, Robert Carnegie had been employed as one of the commissioners on the part of Scotland for arranging the treaty of peace with England, which was concluded at Norham-on-Tweed on 10th June 1551; and on his passing through England to France, the Regent wrote to Edward VI. for letters of confirmation of the treaty under the Great Seal, stating that Robert Carnegie was fully instructed in the views of the Regent, and asking Edward to give him the same credit as he would have done to the Regent himself. This letter is in the following terms:—

Richt excellent, rieht hie and mychty prince, oure darrest brother and cousing, efter oure maist hartlie reeommendatioun, we, for your lettres of eonfirmatioun vnder youre grate sele in dew forme vpoune the late treate maid betuix the commissionaris of baith the realmes at the bordouris thairof for eonseruatione of the peax, haue direetit oure traist eounsalour, Robert Caruegy of Kynnarde, instructit with oure myud at lenth in that and vtheris affaires towartis you, praying you heirfor, in oure maist hartlie maner, that ye will mak him haisty expeditioun and depesche, and gif him ferne credeuce in sic thingis as he will schaw you on oure behalf as to oure self, aud thus, rieht exeelleut, richt hie and mychty prince, oure darrest brother and cousiug, Almyehty God haue you euir in his maist blissit preseruation: Subseriuit be oure darrest cousing, tutour, and Gouernour of oure realme, and gevin vnder oure signet at Edinburgh, the xxviij day of Juuij, aud of oure regime the nynt yeire.

Your Gracis hwmyll cowsyng, with serwyce lefully, JAMES G.

To the richt excelleut, rieht hie and myehty prinee, oure darrest brother and cousiug, The King of Englaud.[2]

Robert Carnegie retained the confidence of the Duke of Chatelherault as long as he held the office of Regent; and there is reason to believe that he retained it to the last. On the occasion of a dispute between the inhabitants of the English and Scotch borders, Robert Carnegie was one of the commissioners appointed by the Regent to treat with the com-

[1] During this embassy to France, Robert Carnegie remained fifteen weeks; and received for his expenses in passing to France and England, £500 Scots. — [Treasurer's Accounts in the General Register House, Edinburgh.]

[2] Original in Public Record Office, London.

missioners appointed by the English Government; and the two parties concluded a treaty on 4th December 1553. The Laird of Kinnaird must have been very discreet in the terms in which he had urged the Duke to resign the regency, or he could scarcely have stood so high in his favour at this time. Doubtless he knew how to conduct himself so as to retain the confidence of the Duke and to acquire the favour of those who were ready to succeed him, for in 1556 we find him appointed by the new Regent ambassador to the King and Queen of England, from whom he received letters of safe-conduct to come into England, dated 10th February 1556-7.[1] These letters bear that, at the instance and special request of their dearest cousin and sister, the Queen of Scots, they received into their safe and sure conduct, and special protection and defence, the beloved councillor, Sir Robert Carnegie of Kinnaird, Knight, ambassador of the Queen of Scotland, to and into their kingdom of England, with twelve persons, or under, in his company, and as many horses, with jewellery, gold and silver, coined and uncoined, letters and papers, and other goods and things whatsoever, coming by land, sea, or fresh waters, by night or by day, staying for the transaction of business, and the doing of his own affairs whatsoever, and then returning into the kingdom of Scotland during the time of their safe-conduct freely and without hurt or impediment whatsoever.

From these letters it would appear that Robert Carnegie had received the honour of knighthood about this period, probably on the assumption of power by the new Regent, with whom he was so soon in high favour.

The object of the foresaid embassy was probably to procure the appointment of commissioners to settle the constant disputes about the Borders, and if possible to conclude a permanent peace. But whatever was the object of the embassy, commissioners from both countries met at Carlisle in the end of June or beginning of July 1557. The representatives of Scotland were Robert Reid, Bishop of Orkney; Henry Sinclair, Dean of Glasgow; Sir John Maxwell of Terregles, afterwards Lord Herries, Warden of the West Marches; and Sir Robert Carnegie of Kinnaird. They remained at Carlisle engaged in the discussion of a treaty until the 17th July, when they adjourned to the 15th of September; and at the same time they issued a

[1] Original letter of safe-conduct at Kinnaird.

proclamation for the keeping of peace between the two kingdoms until the latter date.[1]

Sir Robert Carnegie, who had enjoyed the confidence of the Regent Chatelherault, and of his successor, Mary of Guise, enjoyed, in like manner, the confidence of Queen Mary when she took the reins of power into her own hands. A few months before his death, he was appointed by that Queen one of her commissioners to treat with Queen Elizabeth regarding the delicate subject of Mary's marriage with Darnley, a mission which would have called forth all Sir Robert's talents for diplomacy, had he lived to execute it.

Sir Robert's duties as a Senator of the College of Justice did not prevent his being occupied in many other branches of the public service. We have seen that he was frequently employed as ambassador to England and France. He was a privy councillor under Chatelherault, under the Queen-Dowager, and under Queen Mary; and his attendances at the Council board are regularly noted, down to December 1565, the month before his death.[2] He held the office of 'Clerk of our Soueraine Ladyis Thesaurar' in the years 1549 and 1550, for which his yearly salary was £26, 13s. 4d. He had the care of the Great Seal while the Earl of Huntly, then Chancellor, was abroad. He was also Collector-General of the Temporal Taxation during the regency of Mary Queen-Dowager. Four precepts have been preserved which were granted by the Regent on Sir Robert for payment of sums to the Earl of Huntly, while he was Lieutenant-General of the army which the Regent ordered to the Borders in 1557. Three of these precepts were granted by the Regent at Newbottle, when the expedition to the Borders under Huntly was resolved upon. The following are the precepts by the Regent, and the receipts by the Lieutenant-General:—

Regina—

(1.) Schir Robert Carnagy: This precept sene, ze sall, incontinent eftir the ressait hereof, deliuer to oure richt traist cousing, the Erle Huntlie, the sovme of foure hundreth twenty five pundis[3] money of this realme, for ane half monethis wage

[1] *Calendar of State Papers, Scotland*, by Mr. Thorpe, 1858; vol. i. p. 105, Nos. 25-25-1.

[2] Records of the Privy Council.

[3] In this precept, and in (2) and (4) following, the word 'pundis' has been substituted for the contractions 'lb.' and 'libis' in the originals.

to anc hundreth horsmen, to be raissit be him at oure command, begynnand the day of nixt to cum; quhilk sovme of foure hundreth twenty and five pundis salbe thankfullie allowit to zou in zour nixt compt of collectorie of the sovme of thretty thowsand pundis grantit to ws be the barronis and burgessis of this realme: keipand this precept for zour warrand togidder with oure said traist cousingis acquittance: And this we pray zou faill nocht to do, as ye will ansuere to ws hereupon: Subscriuit with oure hand, at Newbottill, the xxix day of Julij 1557.

Marie R.

Regina—

(2.) Schir Robert Carnagy: This oure precept sene, ze sall, incontinent eftir the ressait thairof, deliuer to oure richt traist cousing, the Erle of Huntlie, the sovme of ane hundreth and fyfty pundis, for this half monethis stait begynnand at the first day of August nixt to cum; and als ze sall deliuer to oure said traist cousing the sovme of fifty pundis; quhilk sovme of fifty pundis oure said cousing sould deliuer quhair we commandit him of the quhilk sovme of twa hundreth pundis salbe allowit to zou in zour nixt compt of collectorie of the sovme of thretty thowsand pundis grantit to ws be the barronis and burgessis of this realme: keipand this precept for your warrand, togidder with oure said traist cousingis acquittance: and this we pray zow faill nocht to do, as ze will ansuere to ws hereupoun: Subscriuit with oure hand, at Newbottill, the xxix of Julij 1557.

Marie R.

RECEIPT by the Earl of Huntlie, indorsed on the foregoing Precepts, 3d August 1557.

(3.) We, George Erll of Huntlie, &c., grantis ws to hauc ressauit in numerit money fra Robert Carnegy of Kynnard, Knycht, the sovme of sex huudreth twenty five pundis vsuall Scottis money contenit in thir preceptis within writtin, quhairof we grant ws completlie payit, and dischargis the said Robert thairof be thir presentis: Subscriuit with our hand at Edinburcht the thrid day of August the zeir of God 1^{m}v^{c} and fyfty sevin zeris befoir thir witnes George Lord Gordoun, Maister Dauid Carnegy, Persone of Kynnowll, Maisteris Viliam Con and Patrik Roucht.

Huntly.

(4.) Traist freynd—efter oure hartlie commendatioun: Forsameikle as oure richt traist cousing, the Erle Huntlie, is to departe to the bordouris at oure command, for the commoun weill of the realme, and defence thairof, and necessar it is that he haue fit provisioun and furnessing as he misteris at this present afore his departing: Thairfore we pray zow effectuislie to becum cautionar and souirte for the sovme of twa hundreth and fyfty pundis to quhatsumeuir merchand or vthair persoun within the burcht of Edinburcht oure said traist cousing happynnis to tak ony furnessing

to the effect foresaid, extendiug to the sovme abouewrittin, and that ze tak competent dayis to the payment thairof; and the samin salbe thaukfullie allowit to zou in your comptis of the taxatioun of thretty thowsaud pundis grantit to ws be the barronis and burgessis of this realme: Ze schewand oure said traist cousingis acquittance thairof; quhilk we traist ze will nocht faill to do: and thus we eommitt zou to God, of Newbottill, the xxix day of July 1557.

Marie R.

To oure traist freynd, Schir Robert Carnagy.

RECEIPT by the Earl of Huntly, indorsed on the foregoing order, 6th August 1557.

(5.) We George Erll of Huntly, Lord Gordoun and Badzenocht, &c., grantis ws to haue ressauit at the command of this the Quenis Grace wryting, fray Robert Carnegy of Kynnard, Knycht, collector of the taxt of the temporalite of this realme, the sowm of tuay hundredtht fifte pundis, in merehandice and wther furnising, quhilk war neeessar for ws to our passing to the borduris; of the quhilk sowm of tuay hundredtht fifte pundis we graut ws waill couteut and payit, and heirfor exoneris, quitclamis, and dischairgis the said Robert thairof: In vitnes heirof we haue subserywit this aequittauce wyth our hand, at Edinburcht, the saxt day of August, the zeir of God im vc and fifte sewin zeris; befoir thir vitnes, John Erll of Sudderland, Maisteris Dawid Carnegy, Thomas Keir, and Richard Lyehton.

Huntly.

Regina—

(6.) Robert Carnegy, Collectour of the temperall meunis part of the taxt of thre scoir thousaud pundis grantit to ws at Streweling in the moneth of last bypast: Forsamekill as we direkit our preceptis effoir to the Bischope of Dunblane and you to deliuer to our rycht trest cusing, George Erle of Huutlie, our lieutennent, the sovme of im iic fifty pundis, for paying of his garysoun of hors meu and his awin estait of this instant moneth of October; and albeit as our said rycht trest cusing hes informit ws that ze haif pait to him the haill half of that said sovme, extendiug to vic xxv pundis, conforme to our preeept direkit to zow thairupone, nochttheless, the said Bischope of Dunblaue hes nocht maid his payment of the vthyr half of the said sovme, bot as zeit he wantis ane gret part thairof, extending to the sovme of vc xxii pundis, quhairthrouch he can nocht pay his garysouu; heirfor it is our will that ye, incontinent eftir the raset heirof, deliuer to our said ryeht trest cusing the foirsaid sovme of vc xxij pundis, in complcit payment of his vagis for the said monetht of October; and gif ze haif nocht money reddy, as we trest ze haif, that ze mak him assignatioun to ony burrow or schireffis that ze pleis for the foirsaid sovme; and this ze faill nocht to do, and the samin salbe thank-

fully allowit to zow in zour comptis of the taxt; keiping this precept with our said ryeht treste eusingis aequittance for your warrand. Subscrivit with our hand, at Edinbureht, the xxviij day of October 1557.

MARIE R.

The following precept for £500 by the Queen-Regent is in favour of George Earl of Rothes, as one of the commissioners appointed by her and the Estates to repair to France on the errand of contracting a marriage alliance between Queen Mary and the Dauphin:—

(7.) Schir Robert Carnegy of Kynnard, Colleetour of the taxt of vii^{m} v^{c} li. for the part of the temporalite grantit be thame for the support of the expensis of the Commissionis: Quhairfor it is oure will and effectuislie desyris, and als commandis, that ze content and pay to oure traist eousing and Counsalour, George Erle of Rothes, ane of the Commissioneris ar direct in Franee, the soume of Five hundredtht pundis: The quhilk salbe weill allowit to zow in zour comptis; and this ze leif noeht vndone; be this oure preeept subscriuit with oure hand, at Edinbureht, the day of Februar the zeir of God i^{m} v^{c} and lvii zeiris.

MARIE R.

Notwithstanding the numerous calls made upon his time, Sir Robert Carnegie found leisure to write a work on the Law of Scotland, which is quoted by Sir James Balfour in his *Practicks of the Ancient Law of Scotland*.[1]

As one of the advisers of the Queen-Regent, and much trusted by her, Sir Robert Carnegie was brought into direct conflict with the Reformers. The Duke of Chatelherault, the Earls of Arran, Argyle, Glencairn, and other Lords of the Congregation, wrote to her in 1559, complaining that she

[1] Published in 1754. In the chapter on the 'Burrow laws,' Sir James Balfour states what was the practice as to 'Deforcement' and 'Poindings' within burgh, on the authority 'Leg. Burg. ex libro Caruegie, et in meo albo libro' [pp. 60, 61]. The punishment to be inflicted on bakers for making bad bread and on brewers for brewing bad ale—the baker to be put to the pillory, and the brewer upon the tumbrell or cokstool—as well as the duties of fleshers and others, are also stated on the authority of the Book of Carnegie [*Practicks*, pp. 70, 72, 73]. That book was evidently an authority on the Burgh Laws. It is frequently quoted by President Balfour on that subject. The 'Book of Carnegie' is not now known to exist. The late Deputy Clerk Register conjectured that the volume entitled Balfour's *Practicks*, was a collection of the laws by several persons employed under Balfour, with a view to a proper digest of the laws. Fourth Annual Report, p. 21.

fortified Leith with Frenchmen, and expelled the native inhabitants. The Queen-Regent declined to enter into a written controversy with them, but she appointed Sir Robert Carnegie, and Mr. David Borthwick of Lochhill, afterwards Lord Advocate, to deal with the Lords in her name. John Knox records this appointment of Sir Robert and his colleague, and complains that these Commissioners, with many others, were imposed upon by the Queen, and corrupted the hearts of the simple.[1]

After recounting the various public services in which Sir Robert Carnegie was employed, it is hardly necessary to remark that he was highly esteemed by his contemporaries. Queen Mary, on appointing his successor in the College of Justice, says that 'Sir Robert was well inclined to justice, 'and expert in matters concerning the commonweill of this realm.'[2] Little is known of Sir Robert's domestic life, but he was not less prudent in private business, than he was expert in public affairs, and added largely to the family estates. His favourite residence, when he was not obliged to be in Edinburgh or at Kinnaird, was the stately castle of Leuchars, which he had acquired through his connexion with the Hamilton family.

John Hamilton, Archbishop of St. Andrews, uncle of the Regent Arran, was in 1549 appointed by the Regent tutor-dative to Elizabeth Ramsay, the heiress of Leuchars,[3] who, when a mere child, had succeeded her father, Henry Ramsay of Colluthie and Leuchars, slain at the battle of Pinkie in the year 1547.[4] By an arrangement concluded at Linlithgow, 3d May 1554, the Archbishop made Robert Carnegie of Kinnaird factor (manager) on the estate of Elizabeth Ramsay, to be accountable to her at the age of twelve. The Archbishop agreed to deliver Elizabeth Ramsay to Robert Carnegie, who

[1] Knox's *History*, vol. i. pp. 414-5.

[2] Letter quoted in Mr. Tytler's *Life of Sir Thomas Craig*, p. 71.

[3] Original gift, dated 4th March 1549, in Leuchars Charter-chest.

[4] Elizabeth Ramsay was served heir to her father, Henry Ramsay of Colluthie, in the barony of Leuchars Ramsay, on 26th September 1551. The retour bears that her father died at the faith and peace of the sovereign 'in campo bellico de Pinkincleuch.' She was infeft in these lands on 8th January the same year. [Retour and sasine in Leuchars Charter-chest.] There was a marriage between a Ramsay and a Carnegie previous to 20th August 1563, on which date William Ramsay at Leuchars, and Catherine Carnegie, spouses, granted a reversion to Elizabeth Ramsay, Lady of Colluthie, of subjects in Leuchars.—[Original, *Ibid.*]

was to keep, nurse, and bring her up to her perfect age of marriage. Elizabeth, when of age, was to marry to the satisfaction of Robert Carnegie, who became bound to pay the Archbishop 4500 merks Scots. A condition, which reads strangely in these days, was annexed to the payment of this sum. The Archbishop stipulated that a lady of noble birth, and her two illegitimate sons by him, should receive a part of the 4500 merks; and, in security thereof, Robert Carnegie of Kinnaird agreed to infeft Grizell Sempill, Lady Stenhouse, in liferent, and John and William Hamilton, her natural sons, in a £100 per annum out of his own lands. This contract was to be observed by Sir Robert Carnegie and his cautioner, under the pain of 'cursing,' a penalty which the primate would not have been slow to inflict.[1]

This arrangement, by which Sir Robert Carnegie got charge of the heiress of Leuchars and her estates, naturally paved the way for her marriage to one of Sir Robert Carnegie's sons, and she became the wife of David Carnegie of Panbride, second son of Sir Robert. But before this could be accomplished difficulties arose which might have led to very unpleasant consequences. The contract with the Archbishop contemplated the possibility of the heiress being taken from Robert Carnegie in due course of law, and an attempt was made to deprive Sir Robert Carnegie of the custody of the heiress, which he resisted. This appears from a charge Queen Mary addressed to the Lords of Council, desiring them to proceed in an

[1] Grisell Sempill, who, with her sons, was thus provided for by the Archbishop in the disposal of the heiress of Leuchars, was the eldest daughter of Robert, third Lord Sempill, and was married to James Hamilton of Stenhouse, whom she survived; and, according to the custom of the times, she was commonly styled Lady Stenhouse. John Knox says that the Archbishop took possession of her who was his Eme's wife; and he adds that the woman is and has been famous, and is called Lady Gylton.—[Knox, vol. i. p. 124.] She had three natural sons to the Archbishop, John, William, and James Hamilton. —[Martin's *Reliquiæ Divi Andreæ*, p. 244.] Mutual suits depended in the Supreme Civil Court between Sir Robert Carnegie and the Lady Stenhouse and her natural sons relative to a sum of 5000 merks consigned in the hands of Sir Robert. By a decreet, dated 3d December 1566, the Lords of Session exonerated Dame Margaret Guthrie, as the relict and executrix of Sir Robert, of that sum.—[Original decreet at Kinnaird.] The Lady Stenhouse obtained much notoriety from her position with the Primate, and otherwise. The magistrates of Edinburgh, on 26th November 1561, ordained 'Grizzell Sempill, Lady Stenhous, adulterar,' to remove herself out of the town.—[Town-Council Records.] She survived this banishment for fourteen years, having died in 1575.—(Testaments in Commissariot of Edinburgh.)

action before them at the instance of her dearest mother and the Lord Advocate, and Christian Kirkcaldy, mother of Elizabeth Ramsay, against Sir Robert Carnegie of Kinnaird, and Master David Carnegie, his son, which action had been long in dependence, and had occasioned great trouble and expense.[1] The action appears to have been closed soon after in obedience to this precept; and on the 5th July 1559, Francis and Mary, King and Queen of Scots, granted a discharge to Sir Robert Carnegie and Master David Carnegie, his son, for the keeping and withholding of the said Elizabeth Ramsay, and not exhibiting of her, and not entering of her in the Castle of Dunnottar, after they were charged thereto.[2]

Sir Robert Carnegie married Margaret, daughter of Guthrie of Lunan, in the county of Forfar. The exact date of their marriage has not been ascertained; but it was probably in the year 1527, as on the 12th of June of that year, Robert Carnegie resigned the lands of Cookston to himself and Margaret Guthrie, his spouse, in conjunct infeftment, as appears from a charter by David Gardin of Coninsyth.[3]

Of this marriage there were eight sons and eight daughters:—

1. Sir John Carnegie of Kinnaird.
2. Mr. David Carnegie of Colluthie, who succeeded his brother Sir John in Kinnaird.
3. John Carnegie of Many, in the county of Aberdeen. He was the second son of his father, who had the same Christian name of John, and he and his eldest brother, Sir John, were both alive at the same time. It is not often that the same single Christian name is given to more than one son in a family. John Carnegie married Margaret, daughter of John Waus of Many, who granted, on 22d January 1556, a charter to John Carnegy, third son of Robert Carnegy of Kinnaird, Knight, and Margaret Waus, his spouse, daughter of the granter, in conjunct infeftment, and the heirs of their marriage; whom failing, to the heirs whomsoever of the said John Carnegie, of the lands and barony of Many, and the lands of Easter and Wester Ruthvens and mill of the same, in the county of Aberdeen, and that for a certain

[1] Original letter at Kinnaird.
[2] Original Discharge, *ibid.*
[3] Original Charter, *ibid.*

sum of money and other favours done by the said Sir Robert Carnegie to the said John Carnegie, his son. The liferent of the granter was reserved. Queen Mary granted, on 25th of January 1556, a confirmation of this charter.[1] John Carnegie of Easter Futhie resigned the lands of Many to his brother-german, Sir John Carnegie. From him the lands of Many descended to David, Lord Carnegie, who sold them to Mr. William Forbes in the year 1618.[2]

4. Mr. Robert Carnegie, preceptor of the Maison Dieu of Brechin, and parson of Kinnoull, in the county of Perth. He made his will at the Maison Dieu at Brechin on the 4th of March 1595, as follows :—

Seing thair is na thing mair sure and certane than deid to all the posteritie of Adam, and nathing mair vneertane nor the hour thairof, I thairfore, Maister Robert Carnegie, persone of Kynnoull, haill, praisit be God! at

[1] Reg. Mag. Sig. Lib. xxxi. No. 365.

[2] Inventory of the writs of Many. The earliest writs are thus stated :—

(1.) Charter by King Robert [the Bruce] to Johu of Boua Villa, Knight, of the davache lands of Blairtoun and Many, dated at Arbroath, 4th December, aud 22d of the King's reign [1327]. (2.) Charter by John of Bona Villa to William Chalmer, burgess of Aberdeen, and Elizabeth, his spouse, of the lands of Mauy, containing certain meithes and marches, dated at Aberdeen, 10th July 1379. (3.) Charter of confirmation by King Robert II. following thereon, dated at Perth, 26th September, and 9th year of the King's reign [1380]. (4.) Sasine of the lands and mill of Many, proceeding on a retour of Gilbert Waus, as son and heir of Richard Waus of Findoue, dated 6th May 1479 : Uuder the sign and subscription of Robert Leis, notary. (5.) Sasine of Gilbert Waus, as heir of the said deceased Gilbert Waus, iu the said lands of Many, dated 17th May 1510 : Under the sign and subscriptiou of John Hirdman, uotary. (6.) Sasine of John Waus, sou and heir of the said Gilbert Waus, of the said lands of Many, proceeding on a retour dated 23d May [15]14, transumed from the Protocol Books of the deceased John Hirdman, notary-public before the commissary of Aberdeeu, nnder the seal of office of the said commissariat, and the subscription of Martin Howysone, commissary clerk for the time. (7.) Service and retour of the said John Waus, as heir of the said Gilbert Waus, whereon the foresaid sasine followed, dated at Aberdeen, 10th Jannary 1513. (8.) Instrnmeut of Sasine of the said John Waus, as heir of the said Gilbert, in the lands of Craigtoun, dated 16th May 1514 : Under the sign and subscription of John Hirdman, notary. (9.) Iustrument whereby Elizabeth Wode, spouse of the said Gilbert Waus, and tutrix testamentar to the said John Waus, renounced the office of tntorie in favour of William Wode, her brother, dated 20th January 1513 : Under the sign and snbscription of Patrick Dnncane, notary. (10.) Charter under the Great Seal in favour of the said John Waus of the lands of Many, Findone, Portlethaine, and others, on his owu resignatiou, and erecting the whole into a barony, to be called the barony of Many, dated at Edinburgh 3d January 1529.—[Original Inventory, dated 4th April 1618, at Kinnaird.]

this present tyme, bayth in saull and bodie, makis my testament and Latter-will in maner as followis:—I leave my saull to God, throuch the mercies of his deir Sone Jesus Chryst, and my bodie to be bureit in the buriall place of the parochine, quhair it sall pleis the Eternall, my God, to call me to his mercie: and I leave, makis, constitutis, and ordanes, and be the tennour heirof, I mak, constitut, and ordane Maister Dauid Carnegie of Colluthie, my brother, my onlie executour and intromettour with my haill guidis and geir; to quhome I leave alsua my haill guidis and geir, to be disponit wpoun as he thinkis gude, with power to him to gif vp the dettis awand to me, and to crave in the samyne to his vtilitie, as alsua to gif vp the dettis awin be me till vtheris the tyme of my depairting, quhilkis ar not heirin expremit: Item, I grant me awand to the bairnes of wmquhile James Carnegy of Balmaquhy, my brother, the sowme of threttie-thrie pundis six schillingis aucht penneis, quhilk I ressauit in borrowing fra him befoir his depairting. In witness heirof, I haif writtin and subscriuit my latterwill with my hand, day, zeir, and place foirsaidis. Sic Subscribitur, Maister Robert Carnegye, persone of Kynnoull, with my hand.

Mr. Robert Carnegie died at the Grange of Balmerino, in Fife, in the month of April 1597, as appears from the confirmation of his testament granted by the Commissaries of Edinburgh on 26th July 1597, to his brother, Mr. David Carnegie of Kinnaird. It is presumed that Mr. Robert Carnegie died unmarried, as he leaves all his personal estate to his brother, and does not mention any wife or children. It appears from the inventory of his estate that he had considerable farm plenishing at the Maison Dieu.[1]

5. James Carnegie, ancestor of the Carnegies of Balmachie, in the county of Forfar, of whom a pedigree is given in a subsequent part of this work.
6. Mr. Hercules Carnegie, ancestor of the Carnegies of Cookston and Craigo, both in the county of Forfar, of whom a pedigree is also given in a subsequent part of this work.
7. Mr. William Carnegie, of Leuchland, in the parish of Brechin, who in his father's will, dated 1st April 1557, is called his youngest son, and is thereby provided to the ward of Benholm. William was then under age, and his brother, Mr. David, is appointed tutor to him. Mr. William Carnegie, brother-german to Sir John Carnegie of

[1] Original Will at Kinnaird.

Kinnaird, granted a discharge for the redemption of the lands of 'Keukistoun' (Cookston), in the barony of Rescobie, which were sold to William Carnegie, under reversion. This discharge is dated 15th June 1585.[1] Thomas Fraser of Kynnell appointed Mr. William Carnegie, brother-german of the deceased Mr. David Carnegie of Kinnaird, his bailie-depute for infefting Sir David Carnegie of Kinnaird as heir to his grandfather, Sir Robert Carnegie of Kinnaird, in the lands of Auchquhandland, in the barony of Kynnell and shire of Forfar. The precept is dated 27th January 1612.[2] By contract dated 23d September 1612, Mr. William Carnegie, brother-german to Mr. David Carnegie of Kinnaird, purchased from David Lindsay of Edzell the Shadow half of the town and lands of Leuchland, in the parish of Brechin. The feudal title to Leuchland was in favour of Mr. William Carnegie in liferent, and to his son Robert Carnegie in fee, and the heirs-male to be begotten of his body; whom failing, to Sir David Carnegie of Kinnaird, Knight, and his heirs-male and assignees whatsoever.[3] Mr. William Carnegie married, and had a son, Robert, and a daughter, Katherine; the latter married William Macken, merchant, burgess of Edinburgh, who, on 17th January 1625, granted a discharge to Robert Carnegie of Leuchland of 3000 merks Scots, as the tocher of his late sister, Katherine Carnegie, under their contract of marriage.[4]

Mr. William Carnegie died before 17th January 1625, when his son Robert was laird of Leuchland. On 1st June 1626, Robert Carnegie of Leuchland, and Alexander Carnegie of Drumgraine, granted a bond to Mr. David Wood, minister at Edzel, for 1000 merks.[5]

Robert Carnegie of Leuchland married Marjorie Wedderburn, apparently of the Wedderburns of Blackness. They had three sons and five daughters, who were baptized on the following dates:— David, on 6th December 1631; Alexander, on 27th February 1635; William, on 17th October 1637; Margaret, on 29th November 1625;

[1] Original Discharge at Kinnaird.

[2] Original Precept, *ibid.*

[3] Discharge by David Lindsay of Edzell, 24th September 1612, *ibid.*

[4] Extract Discharge from the Register of the Commissary of Brechin, 20th January 1625, *ibid.*

[5] Original Bond, *ibid.*

Marjorie, on 14th February 1627 ; Elizabeth, on 25th January 1628 ; Isobell, on 26th May 1629 ; and Helen, on 19th October 1633.[1] The eldest daughter, Margaret, married,—contract dated at Kinnaird, 15th June 1643,—Mr. David Campbell, minister at Carieston, in the county of Forfar.[2]

Marjorie Wedderburn, 'Lady Leuchland,' as she was styled, predeceased her husband on 10th March 1644, as appears from an inventory of her household plenishing, and list of debts owing by her.[3] Robert Carnegie died in 1647.[4]

8. Mr. George Carnegie, who married and left a lawful daughter, Catherine. On 2d November 1580, she granted a letter of reversion to her uncle, Sir John Carnegie of Kinnaird, of the 'schaddow' half of the lands of Little Carcary.[5] On the same date, she entered into a contract with him, whereby she discharged him as executor of the late Dame Margaret Guthrie, his mother, and also with regard to the goods of the late George Carnegie, her father, of all sums of money, goods, and gear that she might claim of him from the effects of his mother, or her own father, by virtue either of legacy or heirship. She also thereby renounced her right to the lands of Balmachie and Kirkton of Panbride. Sir John, on the other hand, became bound to pay to Catherine 1200 merks, and in security to infeft her and the heirs of her body in the lands of Little Carcary.[6] Mr. George Carnegie died before 2d November 1580.

The eight daughters of Sir Robert Carnegie and Margaret Guthrie were—

9. Helen, who was contracted in marriage to William Lundie of Benholme, in the county of Kincardine. A minute was entered into for a formal contract of marriage, at Kinnaird, on 8th September 1549. Robert Carnegie of Kinnaird thereby became bound for that marriage to

[1] Records of Parish of Brechin.

[2] Original Contract, in duplicate, at Kinnaird.

[3] Original Inventory, *ibid.*

[4] Minute relative to the business of his heirs, dated 28th November 1649, at Kinnaird.

[5] Original Reversion, *ibid.*

[6] Original Contract at Panmure. George Carnegie is not included in the entail of the Kinnaird estates which was made by Sir Robert Carnegie and confirmed by Crown Charter on 25th March 1565. The other seven sons of Sir Robert are included in that Charter in the order in which they are stated above.

cause, God willing, George Lamby, laird of Duncany, marry, without 'ony doit' (tocher) Margaret Lundie, sister of the said William Lundie, and to get a dispensation for them at his own expense, or, failing that marriage, to pay to Margaret Scrimgeour, 'Lady Ben-'holme,' mother of William Lundie and Margaret Lundie, 510 merks for the said marriage of Duncany, and 300 merks with the marriage of William Lundie and Helen Carnegie. William Lundie is also bound to be in court 'with the said Robert at the said Robertis 'plessour.' Both the marriages of William and Helen, and George and Margaret, were to be completed on one day at Martinmas then next.[1] William Lundie of Benholme, and Helen Carnegie, spouses, received a Crown Charter of the lands of Tullo and Inchmeddan, in the county of Kincardine, on 25th June 1551.[2]

The marriage, however, of William Lundie and Helen Carnegie was soon dissolved by his death; for on 9th March 1555, John Hamilton, Archbishop of St. Andrews, directed letters to the Bishop of Brechin for dispensing with the impediments to the marriage of Robert Turing (of Foveran) in the diocese of Aberdeen, and Helen Carnegie.[3] This marriage was arranged by Sir Robert Carnegie, who was donator to the ward and marriage of Robert Turing, son and heir of the late William Turing of Foveran, as appears from a discharge by William Gordon, Bishop of Aberdeen, to Sir Robert Carnegie, dated 23d June 1553.[4] Helen Carnegie, spouse of Robert Turing of Foveran, received a Crown Charter of the lands of Blackhillock, in the county of Aberdeen, in liferent, dated 28th July 1580.[5]

10. Elizabeth, who married—contract dated 7th August 1553—Andrew Arbuthnot of that ilk, in the county of Kincardine, ancestor of the Viscount of Arbuthnot, and had four sons,—Sir Robert, George, James of Arrat, and Patrick of Magdalene Chapel, or Chappelton, within the church of Brechin; and a daughter, Helen, who married Alexander Fraser, eldest-son of Thomas Fraser of Dores, in the same county.

[1] Certified Copy of Minute of Contract of Marriage at Kinnaird.
[2] Reg. Mag. Sig. Lib. xxx. No. 652.
[3] Original Letters at Kinnaird.
[4] Original Discharge, *ibid.*
[5] Reg. Mag. Sig. Lib. xxxv. No. 236.

Elizabeth Carnegie, Lady Arbuthnot, died on 28th October 1563, as appears from her testament, which was confirmed to her three younger sons and her daughter.

11. Katherine, who married David Ramsay of Balmain, in the county of Kincardine. He was grandson of Sir John Ramsay, Lord Bothwell, a favourite of King James III., who was forfeited in the first Parliament of King James IV. in October 1488. David Ramsay of Balmain, and Katherine Carnegie, his spouse, received a charter from King James VI. of the lands of Wester Strath, in the barony of Balmain, dated 28th October 1576; and another charter of the barony of Balmain, dated 12th August 1582. David Ramsay and Katherine Carnegie had one son, David Ramsay, who succeeded to Balmain, on the death of his father, about the year 1625. From him Sir Alexander Ramsay, now of Balmain, Baronet, is descended, and his uncle, the Very Reverend Dean Ramsay of Edinburgh.
12. Isabell, who married Gordon of Glenbucket, in the county of Aberdeen.
13. Jean, who married Gilbert Reid of Collieston, in the county of Forfar. They received a Crown Charter of the lands of Little Drumquhendill, in the county of Aberdeen, on 1st August 1539.[1]
14. Mary, who married Strachan of Carmyle, in the same county.
15. Christian, mentioned in the will of her father, which was executed on 1st April 1557, and by which she is provided to two special sums of four hundred merks each.[2] No further notice of Christian Carnegie appears among the family papers.
16. Margaret, mentioned as the youngest daughter of her father in his will. She married Sir James Scrymgeour of Dudhope, Constable of Dundee. Their marriage-contract bears date at Kinnaird, 13th June 1565.[3] Her tocher was 2120 merks. By Sir Robert Carnegie's latter will, executed in January 1565, he left 1100 merks owing to him by the Archbishop of St. Andrews, to pay the tocher of his daughter, the Lady Dudhope.

[1] Reg. Mag. Sig. Lib. xxx. No. 171.

[2] Original will at Kinnaird.

[3] The Contract was registered in the Books of Council, 5th July 1565.

JOHN CARNEGIE, of that Ilk, and of Seaton in the County of Forfar, 1562-1604.

KATHERINE FOTHERINGHAME, his wife, 1562-1593.

BESIDES this large family of legitimate children, Sir Robert Carnegie had a natural son called John Carnegie, who was sometimes designated of Seaton, an estate situated in the parish of St. Vigeans, and county of Forfar, which was acquired by him; but more frequently designated John Carnegie of that Ilk, he having also acquired the lands of Carnegie.

John Carnegie was well educated, and inherited some of his father's talent for business. He took an active part in many important transactions connected with his father's family and estates. Besides the lands of Carnegie and Seaton, he acquired the barony of Dunnichen, and the lands of Ochterlonie and Crechie, all in the county of Forfar. The record of the courts held by him as Baron of Dunnichen, and by his bailies in his name, from 1562 to 1604, is still preserved at Kinnaird.[1] He held the office of Chamberlain of the Abbacy of Arbroath, to which pertained extensive estates, chiefly in the county of Forfar.

On the 26th May 1564, Thomas Maule of Panmure, granted a charter in favour of John Carnegie of Seaton and Katherine Fotheringhame his wife, and the heirs of their marriage, whom failing, to James Carnegie his brother, and his heirs-male whatsoever of the lands of Carnegie.[2] This charter was confirmed by Queen Mary on the 17th July following.[3]

Dame Katherine Campbell, Countess of Crawford, sold to an honorable man, and her traist friend John Carnegie, son natural to umquhile Sir Robert Carnegy of Kinnaird, all her corns, horse, etc., of the half lands of Seytoun of Aberbrothock, by disposition dated 10th February 1570.[4]

In the year 1570, John Carnegie of that Ilk was forcibly ejected from his mansion-house of Seaton, by George Douglas, afterwards bishop of Murray, and his accomplices, and a great company of soldiers. John Carnegie raised an action of spulzie before the Lords of Session against his

[1] It is a volume consisting of 128 pp. folio, and in the original parchment binding.

[2] Original Charter at Panmure.

[3] Original Charter, *ibid.*

[4] Original Disposition at Kinnaird.

oppressors. Owing to the difficulties of pursuing so many persons, he had to apply for a special Act of Parliament to facilitate his suit. This was granted to him in a parliament held at Edinburgh on 29th November 1581, in virtue of a precedent in favour of the executors of Cardinal Betoun, who pursued the murderers of the Cardinal for the injuries done to his residence, the Castle of St. Andrews. The Act of Parliament in favour of John Carnegie is in these terms :—

Forsamekill as aneut the eomplaint gevin iu be Johnne Carnagye of that ilk makand mentioun that quhare in the moneth of the zeir of God ane thousand five hundred aud seventy zeiris, he being be way of maist violent oppressioun, eieetit furth of ane mansione and dwelling plaee of Seytone, his haill gudis, geir, gold, siluer, and euidentis being spuilzeit furth of the samyn be George Douglas, now Bisehope of Mwrray, his compleeis, and ane greit eompanie of suldeartis eonduеit be him to that effeet aganis quhome he intentit summondis of spuilzie before the Lordis of Sessioune. Quhilk eontinewallie as zit hes bene delayit to his greit dampnage and skaith, and in the meauetyme thair is diuerss of his aduersar parteis deeeissit at syndrie tymes, swa that eftir the deeeis of euerye partieelar persone the said Johnne is burdeuit with the translatioun of the haill proeess. And eftir the translatioun aganis ane persone, he is compellit to transfer the samyn wpoune the aires of the persones deeeissand, swa that he be the oeeasioune foirsaide lyke to haue ane endles pley without ony redres. And albeit syndrie of the persones quhilkis ar giltie of the said spuilzie wald for thair awin pairtis transaet and aggrie with the said Johnne, bot lest the said translatioune soulde hurt his awin matter, he feris to deale with thame in that behalf, without he haue the saidis lordis deelaratioune in parliament, deelarand the samyn to be lauehfull, be the quhilk deelaratioune na persone ean be hurt, seing the said Johnne is eontent that quhatsumeuer he sall ressaue fra ony partieular persone in name of translatioune and aggreanee, salbe allowit of the radiest of his sowmes li^k^ (the lyke was done and eoneludit in parliament in fauour of the eardinallis executouris aganis eertane persones quha spuilzeit the eastell of Sauetandros in the moneth of May 1546), as at mair lenth is eontenit in the said supplicatioune. Thairfore oure said souearane lord, with aduise and eonsent of the thrie estatis of this present parliament, be the tennour heirof, Deeernis and deelaris that it salbe lesum to the said Johnne Carnagye of that ilk to aggrie with ony of the saidis persones eontenit in the said summondis, thair airis and exeeutouris he defalkand and allowand the samyn sowmes of the first and of the rest of the sowmes contenit in his said summondis.[1]

On the 13th of April 1577, John Carnegie, as portioner of Seaton, with

[1] Acts of the Parliament of Scotland, Record Commission edition, 1814, vol. iii. p. 233.

advice of Sir John Carnegie of Kinnaird, Mr. David Carnegie of Colluthie, and others, entered into a contract with Patrick Maule, younger of Panmure, by which the latter agreed to renounce to the former the reversion made by him to Thomas Maule, father of Patrick, of the lands of Carnegie, that the same might remain with John heritably for ever, in terms of the charters thereof made by Thomas Maule of Panmure. By that contract John Carnegie became bound to grant to Patrick Maule two letters of reversion, the one for the redemption of the lands of Glaster for 3000 merks, and the other for the redemption of Myreside for 300 merks.[1] On 5th January 1583, Patrick Maule and John Carnegie of that Ilk, entered into another contract, by which the former renounced to the latter all his right of reversion to the lands of Carnegie.[2] On the same date, 5th January 1583, they also made a similar contract with regard to the lands of Glaster; and on 13th April 1585, an instrument was taken, bearing that John Carnegie had received from Patrick Maule 3700 merks for the redemption of these lands. Patrick Maule was infeft in Glaster, on the 25th of May following.[3] In a few years, these lands again became the property of the Carnegie family, as, on the 23d March 1596, Mr. David Carnegie of Kinnaird, received a charter of them from Mr. Arthur Erskine of Glaster, and another from King James VI., on 4th May 1597.[4]

Esme, Earl of Lennox, as commendator of Arbroath, obtained a judicial decreet against John Carnegie of that Ilk for a certain amount of money and victual for the farms and teinds of the lands of Dynnichten, Crechie, and Auchterlonie, and for three chalder victual for the teinds of the Common Faulds. John Carnegie raised letters of suspension of the charge of payment on the decreet. In the suspension he alleged that he was to be put to the horn of 'werray malice,' although he was not liable to the commendator for teinds of the Common Faulds. He alleged that it was not the property of the abbots, but proper common to the monks and convent, who had been in possession of the same by themselves and their collector, called the 'Monk of Common' in all time bygone. John Carnegie

[1] Extract Registered Contract at Panmure.

[2] Original Contract, *ibid.*

[3] Original Instruments, *ibid.*

[4] Original Charters, *ibid.*

produced discharges by the 'Monk of Common,' and his pleas were sustained by the Lords of Session, by decreet dated 4th February 1580.[1]

John Carnegie was also proprietor of Invergowrie, otherwise called Newbigging, on the Tay, which he sold to Patrick Gray, son of Lord Gray, and Dame Euphemia Murray, his spouse, by charter dated 29th April 1568.[2]

John Carnegie married Katherine Fotheringhame, about the 16th April 1562, on which date she, as his future spouse, was infeft in the lands of Punderlaw and others, in the parish of Arbroath.[3] She made her will in the house of Robert Jossy, Edinburgh, on the 16th April 1593, by which she constituted her husband her only executor. She died on the 20th of the same month, and her will was given up for confirmation on the 24th July 1595.[4]

John Carnegie of that Ilk died in December 1604, and on 11th April 1649, David Carnegie of Balmachie was served heir of taillie to him in eleven acres of Punderlaw and Deischland, in the lordship of Arbroath. The retour bears that the lands had been in non-entry in the hands of the Marquis of Hamilton, the superior, for forty-four years and three months.[5]

Of the marriage of John Carnegie of that Ilk and Katherine Fotheringhame there was issue one son and two daughters:—

1. Robert, who appears to have been designated of Ballinbreich, and who married Marion, daughter of Patrick Ogilvie of Inchmartin. Their contract of marriage is dated 26th March 1589. Robert's father became bound to infeft him and Marion in conjunct fee in Easter Liff, Forfarshire, and in an annual rent of two chalders victual from Craquhy, in the same county, for which Patrick Ogilvy was bound to pay to John Carnegie 5000 merks of tocher.[6]

   Robert Carnegie predeceased his father, without lawful issue, before the year 1593, when his sister, Catherine Carnegie, is stated to be apparent heir to her father. Robert left a natural son, James Carnegie, who was an attesting witness to a discharge by Robert Carnegie of Dunnichen, dated at Kinnaird, 31st July 1605.[7]

[1] Original Decreet at Kinnaird.

[2] Precept by Patrick Gray, in Invergowrie Writs, at Kinnaird.

[3] Original Instrument at Kinnaird.

[4] Original Will and Confirmation, *ibid.*

[5] Record of Retours in Chancery, vol. xx. p. 51.

[6] Original Contract at Kinnaird.

[7] Original Discharge, *ibid.* This appears

2. Marion, who married Gilbert Gray of Bandirrane, son of Patrick Lord Gray. On the 12th of June 1583, he, as her husband, granted to John Carnegie of that Ilk, father of Marion, a discharge for her tocher of 3000 merks.[1] The spouses also, on the same date, in respect of the payment of the tocher, granted to her father a lease of the lands of Muirdrum,[2] and a renunciation of her right to the east half of the lands of Glaster,[3] which were wadset to her under reversion. Gilbert Gray at the same time granted a discharge to his brother Patrick, Master of Gray, of his obligation to ratify Gilbert's contract of marriage with Marion Carnegie.[4]

3. Catherine Carnegie, who was with her mother during her last illness, soon after her death met with an adventure highly illustrative of the lawlessness of the times. Calderwood's account of this affair is simple, but carries with it an air of truth :—

'James Gray,' he says, 'brother to the master of Gray, ravished a gentlewoman, apparent heyre to her father, Johne Carnegie, but was randered again, at command of the Counsell by the said James, out of Robert Jousseis house in Edinburgh, where she and her father remained for the time; was trailled down a close to the North Loche, and conveyed over in a boat, where there were about ten or twelve men on the other side to receive her. They set her upon a man's saddle, and conveyed her away, her hair hanging about her face. The Lord Hume keepit the High Street with armed men till the fact was accomplished.'[5]

On the 21st June 1593, James Gray, son of Patrick Lord Gray, was ordained to be denounced a rebel for not appearing before the commissioners to answer to the charge of carrying off Catherine Carnegie, daughter of John Carnegie of that Ilk, furth of the house of Robert Joussy, merchant, Edinburgh, and carrying her away

to be the same James Carnegie who, 10th Febrnary 1592, obtained a legitimation under the Great Seal as the natural son of the deceased Robert Carnegie of Ballinbreich. —[Reg. Mag. Sig. Lib. xxxix. No. 49.]

[1] Original Discharge at Kinnaird.

[2] Original Lease, *ibid.*

[3] Original Renunciation, *ibid.*

[4] Original Discharge at Kinfauns.

[5] Calderwood's History, Wodrow Society Edition, vol. v. p. 252.

and keeping her captive against her will on the 10th of June preceding.[1]

Catherine having been 'rendered again,' was afterwards married to Sir John Hamilton of Lettrik. She died before the 24th May 1597, on which date Sir John Hamilton, her husband, granted a discharge to John Carnegie, her father, for all sums of money due as tocher and otherwise with his deceased daughter Catherine.[2]

Sir Robert Carnegie of Kinnaird, executed two wills or testaments. One of these was made when he was setting out on a journey to England in 1557, an undertaking which was then so full of peril as to necessitate the arrangement of a man's affairs in case of his never returning, and is in the following terms :—

I Robert Carnegy of Kynnard, tending, God willing, to tak my jornay in Ingland in the Quenis seruice, makis my testament in this maner: In primis, I leve my saull to God, and four hundretht merkis aueht to me be my lord Mersehell, to my douchter Cristiane, and als four hundretht merkis of my pairt of my movable gudis to the said Cristiane: And I mak Margret my zongast douehter, my assignay to the money aueht to me be my lord of Huntlye, and to all other sowmys of money aueht to me be quhatsumevyr other persoun: And I mak my wyf assignay to the ward of Benholme, half ward and mariage of Kynnell; providand that gyve sehe mareis ony man herefter, that ineontinent thairefter this assignatioun expyre: and in that eaee, and fra that furth, I mak Wiliam my zongast sone assignay to the ward of Benholm, and I eonstitut and leve Maister Dauid, my sone, tutor to the said Wiliam; and syklyk, in eaee forsaid that my wyf mary, I leve the ward and mariage of Kynnell to James Carnegy, my sone, and makis the saidis Wiliam and James respeetiue my assignais thairto respeetiue, in eaee forsaid, be thir presentis. Attoure, I eonstitute my wyf and my sone, Maister Dauid, my exeeutoris; to quhom I eommit the dispositioun of my gudis to be distribut amang all my barnis that ar noder mareit nor benefytit. In witnes of the quhilk I have writin and subseriuit this writ wytht my hand, at Edinbureht, the first day of Aprile, in the zere of God i^{m} v^{c} fyfty and sevyn zeris.

Robert Carnegy of Kynnard,
wytht my hand.

And in ease of diseord betuix my barnis or exeeutoris, quhilk I pray God auert, I leve my lordis of Sanetandrois and Orknay ouermen and jugis amangys thame; quhom I maist humelye beseyk to aeeept that eharge.

[1] Pitcairn's Criminal Trials, vol. i. p. 297.

[2] Original Discharge at Kinnaird.

Sir Robert, however, survived the date of this testament for eight years; and on his deathbed, he made another in these terms:—

At Luehris, the v. day of Januar, the zeir of God 1565 zeris: Sehir Robert Carnagie, knyght, seik in bodie and haill in memorie, maid his testament as fallowis: In the fyrst, he left his saule in the mereie of God throweht Jesus Chris[t] ouer onely Sauiowr; and than he left Dame Margreit Gwtterie, his spows, exeeutrixt and onely intromissetrix with all his guddis and gair; and left vii. hundreth merkis awen to hyme for the mariag of Thomas Fresar of Braekie, and a lawen [eleven] hundret merkis awen to hym be the arsehebisehop of Sanetandros to pay his doehther, the Ladj of Dwdab, thoeher gwd; and than he desyrit Jhone Carnagie, his eldest [sone] that he swld noeht alter the state of his lewynge and land, and the infeftmentis maid to his haris maill theropon, and his howss swld noeht be displinis[h]ed of onythynge that wes therin, bot leawe the same to the haris therof as it stwid, thas exeept, gyf it wer ane saltwat or sie other thynge as his wyf had ado with, to gewe to hir: Also he desyrit that his wyf swld hawe the hail plaee of Etthie plennished as it wes; and in eaiss the said Jhone had na haris maill gotten of his bodie, he desyrit that he swld gewe the lands of Etthie to his sonne Mr. Robert, after the diseeis of dam Margret Gwtterie his wife; and the said Jhone promised to do the same, vpon the quhilk he twik the said Jhonnis hand in his, and than he baid the said Jhone his sonne tak xxvii. hundret that he had vpon the Erill of Boidwailis land, and marie his doether with: and this wes donne in the Inner Chalmer in Luehris, the said Sir Robert beinge in his bed deidly seik in bodie, in presens of me, Jhone Wre, minister of Luehris, befor thir witness, Jhone Carnagie, his eldest sonne, Mr. Dauid Carnagie of Panbride, and Mr. Robert Carnagie persone of Kynnwle, his sonnis also.

Jhone Wre, Minister at Luehris.[1]

The day on which this second will was made, Sir Robert Carnegie died, as appears from the confirmation of the will by the Commissary of Edinburgh on 26th June 1566. The inventory of his personal estate was given up by Margaret Guthrie, his wife, who was his executrix. The inventory specifies the value of horses, cattle, sheep, and grain, and it possesses some interest, as showing the value of agricultural produce at that date:—Forty 'drawin oxin,' price of each, £6. Thirty-two kye, each £4. Three score yield nolt, younger and elder, each forty shillings. Twenty score sheep, each ten shillings. Four work-horses, each £6. Four chalders wheat at forty shillings the boll; forty chalders of oats at £13, 6s. 8d. the

[1] The will is holograph of Mr. Wre.

chalder; twenty-five chalders of bear at £20 the chalder; twelve chalders of meal at £16 the chalder.

His furniture, besides heirship goods, extended to £200, and his money in gold and silver to £333, 6s. 8d. The whole value of his personal estate is stated at £2600, 16s. 8d. The debts owing to Sir Robert are stated at £4277, 13s. 4d. That sum includes two sums of £1873, 6s. 8d., and £50 due by the 'Lady Stanehous,' before mentioned.

The debts owing by Sir Robert amounted to £5801, 7s. 6d., which included £3333, 6s. 8d. to John and William Hamilton, sons natural to Grissell Sempill Lady Stanehouse.

Sir Robert Carnegie was buried in the church of Leuchars. A large stone was placed over his grave, with an inscription, which can still be deciphered, notwithstanding the rough usage to which it was for many years subjected. At one time, this stone formed part of the pavement of the church, and it has suffered severely from the roughly-shod rustics. When the church of Leuchars was repaired in the year 1813, the stone was removed, and Sir Robert Carnegie's grave was opened. The bones found in it must have belonged to a man of large stature.

In the year 1863, Leuchars Church was again repaired, and partly rebuilt, when the tomb-stone of Sir Robert Carnegie was placed in the floor close to the south wall, and opposite to the east end of the circular part of the church, in which stood the high altar. The following is the inscription:—

Hoc Tegitvr Lapide Corpvs probi viri Roberti Carnegy de Kynnard Militis Senatorii Ordinis, Qvi Obiit in castro de Lvthers Qvinto die Mensis Janvarii [A]nno Dñi 156[5] et Ætatis S[v]æ Anno.

Margaret Guthrie, Lady of Kinnaird, survived her husband, Sir Robert Carnegie, for five years. She died in April 1571, having on the 10th of that month made her will, in which she nominated her eldest son, Sir John, and her second son, Mr. David, her executors.[1]

[1] Records of Edinburgh Commissariat, Testaments, vol. iv.

X. 1.—Sir John Carnegie of Kinnaird, Knight, 1565-1595.
Agnes Wood (of Craig), First Wife, 1549-1586.
Margaret Keith, Second Wife, *c.*1590-1596.

Sir John Carnegie took up arms under the Earl of Huntly in behalf of Queen Mary, and was in consequence deprived of his Castle of Kinnaird, which was committed to the charge of James Haliburton, Provost of Dundee, and by him was given over to the keeping of John Lord Glammis, in obedience to an ordinance of the Regent Murray, on the 3d March 1568. An Act of Parliament was passed at Stirling, on 28th August 1571, in favour of Lord Glammis as Keeper of the House of Kinnaird, belonging to John Carnegie of Kinnaird, Knight, parttaker of George Earl of Huntly for the time. The Act thus narrates the circumstances :—

Forsamekle as my Lord Regentis Graee and thre estatis and haill body of this present parliament, vnderstanding that Johnne Lord Glammis, be act and ordinance maid be vmquhile James Erle of Murray, lait regent to our souuerane Lord, his realme and liegis, with auis of the Lordis of seereit eounsale of the dait the thrid day of Merche the zeir of God ane thousand five hundred and sixty-aueht zeiris, ressauit fra Maister James Halyburtoun, Provest of Dunde, the Hous of Kynnard, pertening to Johnne Carnegy of Kynnard, Knyeht, parttaker with George Erle of Huntlie for the tyme, with eertane guidis and geir being thairin, and vpoun the said S^r^ Johnnis land adiacent thairto; quhilkis hous, guidis, and geir the said Mr. James hed ressauit of befoir at eommand of the said vmquhile regent and lordis of seereit eounsale: To be keipit and furth eumand to the Kingis Majestie and his said vmquhile regent vpoun the ehargis and expensis of the self. And that the said Lord Glammis for himself, at the leist his seruandis and vtheris in his name, keipit the said hous ane eertane lang spaee, and in keiping thairof intromettit with eertane guidis and geir for sustentatioun of the said hous: Thairfoir our souerane Lord, with auis and eonsent of my lord regent, and thre estaittis, and haill body of this present parliament, willing that the said lord, his seruandis and vtheris, keiparis of the said hous for the tyme, thair airis or executouris, sall ineur na danger, damnage, nor skayth for his seruiee done at command of the said vmquhile regent and eounsale, as said is, deelaris that the said Lord did gude and faythfull seruiee to our souerane lord in the premisses: And thairfoir the said Johnne Carnegy or ony vtheris pretendand or allegeand to haif ony guidis in the said hous, or vpoune ony the said Schir Johnnis landis or rowmes, his or thair airis, exeeutouris [nor] assignais sall haif na actioun aganis the said Lord, his seruandis, or [others], being in the said hous for keiping thairof for the tyme, as said is, thair airis, ete., for

keping of the said hous, intrometting with ony guidis or geir vpoun the said Schir Johnnis landis, roumes, &e., diseharging all iugis [of this] realme of all calling, or in onywis proceding aganis [thame] eriminalie or eiuilie, be ony maner of way iu tyme eoming.[1]

The Queen was not unmindful of the sufferings of her loyal subjects, and she wrote to Sir John Carnegie the following kindly letter :—

Rieht traist freind, we greite yow well: We have bene suffieientlie informid of your greit eonstaneie towarde the advauueement of our auetoritie and service within our reallme, for the quhilke we geve yow hartie thaukes; assuriuge yow that whensoever it sall ples God we returne therto, we sall have the same in good remembraunce, aeeordinge to your thankefull desertes: And for samekill as the grit troble and greife quhilke ye our good and naturall subieetes hes susteanit (not only be sedieious interpriee within Seotlande, but allso be forrene parswte), hes bene no lesse grevous and displesant to vs nor oure lounge restreinete and deteneioun heir: Therfore, beinge carefull for remedie therof, as beeomithe a lovinge mother and prinees to her subieetes, we have be all meanes possibill soeht to obteane the favorable aide of our good sister, the Quene of Eiuglaude, be oure eontinuall swte, their two yeres past: and now, last of all, in the begiuninge of Aprill, eausit our right trustie eounsalor and ambassador, the Bisehop of Ros, travell earnestlie for stayenge of her armie, and allso senee for reteiriuge of her forees fourthe of our said reallme, and for our libertie and restitution to oure crowne, auetoritie, aud governement of Seotlande: And to that effeete he hes had, at our eommande, divers eonfereneis, first with the lordes of our said good Sister's eounsale, and thereftir with her selfe, apon eerteine heides and eonditions as semes to tende to her ressonable satisfaetioun, and to our aide and honorable eonforte: And in the mean tyme, ane sureeans and abstinens to be takyn withe layenge dounn armes on all sides: But beeaus thes eauses are of grit weeht and eonsequenee, and eannot be weill treatit be missyve lettres, we have direetid our trustie eousigne, my Lorde Levingstoun, to yow of our nobilitie and obedient subieetes suffieientlie instruetid, whom we praye yow eredit: And, efter good advisement and deliberaeioun, advertis vs with all eonvenient diligens of your advise and answere, leifinge na thinge vndone that maye ressonablie eontente the Quene, our good sister, as allso for our honor, weill, and quietnes of the haille yle; so referriuge the rest to the suffieieneie of the beirer, we eommitte yow to the proteeeiou of God Allmightie; from Chatsworthe, the ix. daye of Junij 1570.

Your good frind,

Marie R.

To our Richt traist freind, Schir Johne Caruagy, of Kynnard, Kuycht.[2]

[1] The Aets of the Parliament of Seotland, Record Commission edition, 1814, vol. iii. p. 62.

[2] Original letter at Kinnaird.

On the death of the Regent Murray, some of the friends of Queen Mary thought that now there was a good opportunity for rising in her favour. Kirkealdy of Grange kept the Castle of Edinburgh for her adherents, and the new Regent, Lennox, took up his quarters at Leith, where he ordained a raid to be convened on the 1st October 1571. Sir John Carnegie, who does not appear to have taken any active part on this occasion, absented himself from the raid; and on the 23d November following, he, with John Carnegie of Seaton, and several other Angus lairds, had to find caution for his appearance at next 'Justice aire' of Forfar to underlie the law.

Sir John Carnegie inherited the loyalty of his father, but he chiefly occupied himself in the management of his landed estates. His father's talent for public business descended to his younger brother, Mr. David Carnegie of Colluthie.

Sir John was twice married. His first wife was Agnes, daughter of David Wood of Craig, descended from the famous Admiral of that name in the time of King James III. They were married before 6th December 1646, when a Crown charter was granted to them of the lands of Erlisfield, Seggyden, etc., in the county of Aberdeen.[1] By Agnes Wood Sir John Carnegie had an only child, Margaret Carnegie. Agnes Wood died in the Place of Many on the 2d March 1586. Her testament was given up for confirmation by Sir John Carnegie, her husband and only executor, on the 24th February 1587. She left her whole estate, except a legacy of £100 to Isabell Leslie of Kineraigie, to her husband, Sir John, for his lifetime, and after his death, to their daughter Margaret.[2] Sir John's second wife was Margaret Keith, but by her he had no issue. She survived Sir John, and married, secondly, before 23d July 1598, Sir William Graham of Braco. The last notice found of Sir John is on 7th November 1595, when he received a discharge from the Earl of Mar for the sum of £20.[3] He died before 14th May 1596, on which date his brother, Mr. David Carnegie, is designated of Kinnaird.[4]

[1] Reg. Mag. Sig. Lib. xxx. No. 105.

[2] Original Testament at Kinnaird.

[3] Original Discharge, *ibid.*

[4] Original Discharge, *ibid.* On 28th June 1584, Monani Hog in Bleridryn granted a discharge to Sir John Carnegie for 800 merks Scots, in part of the tocher with Katherine Carnegie, his brother's daughter. —[Discharge at Kinnaird.] This lady has not been identified.

Margaret Carnegie, daughter of Sir John Carnegie and Agnes Wood, is styled their only lawful 'bairne.' She married Patrick Kinnaird of that Ilk. As his spouse, she, on 22d December 1570, became bound to renounce to her father the mill lands of Cauldhame and others on receipt of a rose noble. She received a Crown charter of the Mains of Kinnaird in the county of Perth, in liferent, dated 15th August 1573, and another of the lands of Ruthven and barony of Many, in the county of Aberdeen, on 10th July 1590.[1] Margaret Carnegie predeceased her husband before 5th February 1598, on which date her son John Kinnaird summoned Mr. David Carnegie before the Council to answer with regard to her infeftment in the lands of Many. The summons states that she was then dead.[2] Of the marriage of Margaret Carnegie and Patrick Kinnaird there was a family of seven sons and five daughters, viz., John, Patrick, Robert, William, David, James, Thomas, and Barbara, Helen, Elspeth, Margaret, and Nicolas Kinnaird. They are all mentioned in this order, in a contract dated 19th January and 16th February 1600.[3] Nicolas Kinnaird was then the wife of John Gordon, younger of Pitlurg. By that contract the children of Margaret Carnegie ratify to David Carnegie of Kinnaird, as heir-male of his late uncle, Sir John Carnegie, all lands which belonged to him, excepting the lands of Ruthvens and others in the county of Aberdeen.[4]

[1] Reg. Mag. Sig. Lib. xxxiv. No. 152, and Lib. xxxvii. No. 306.

[2] Original Charge at Kinnaird.

[3] Extract Registered Contract, *ibid.*

[4] Sir John had a natural daughter, Margaret, to whom a legitimation was granted under the Great Seal on 28th July 1580.—[Lib. xxxv. No. 224.]

X. 2.—Mr. David Carnegie of Colluthie and Kinnaird, 1559-1598.

1. Elizabeth Ramsay, first wife, *c.* 1560-1566.
2. Euphame Wemyss, second wife, 1568-1593.
3. Janet Henrison, third wife, 1594-1599.

On the death of Sir John Carnegie of Kinnaird without male issue, in the year 1595, his next brother, Mr. David Carnegie of Colluthie, succeeded to Kinnaird.

Having previously been provided by his father to the estate of Panbride in the county of Forfar, he was for some time designated Mr. David Carnegie of Panbride. After his marriage with Elizabeth Ramsay, he was designated of Colluthie; and under this designation he appears in most of the public transactions in which he was engaged. As he only enjoyed the estate of Kinnaird for about three years, the designation of Colluthie adhered to him until his death.

From a letter signed by King James VI. and the Lords of the Privy Council at Holyroodhouse on 28th March 1585, it appears that Mr. David Carnegie, then of Colluthie, and his neighbours, the Lairds of Earleshall and Reres, in Fife, had an action before the Lords of Session against Patrick Lord Glammis anent the fishings of Kinschawde. The process had been stayed owing to the proclamation discharging proceedings in all actions on the north side of the Forth in consequence of the 'plage of pest.' The King and his Council direct the Judges to proceed with the action notwithstanding the proclamation, as the pursuers and defenders dwell in places far distant, and free of all suspicion of the 'plage of pest.'[1]

Mr. David Carnegie was bred to the law, took a prominent part in the civil business of Scotland, and was appointed on many commissions by King James VI.

In the year 1578, along with several noblemen, and Mr. George Buchanan, and other men of letters, Mr. David Carnegie was appointed one of the commissioners on the laws.[2]

In the year 1587 he was appointed a commissioner for establishing a

[1] Original Letter at Kinnaird.

[2] Acts of the Parliament of Scotland, Record Commission Edition, 1814, vol. iii. p. 105.

universal met, measure, and weight, and also for setting of the order of the taxation on all estates.

In the year 1592 he was appointed one of the commissioners to make and conclude the assignations of the minister's stipends, and to divide what should belong to them, and their assignations in time coming.

In the following year he was appointed one of the commissioners anent the coin: also to hear the petition of the Earls of Angus, Huntlie, and Errol, to be put on trial for their alleged conspiracy; and for the taxation of one hundred thousand pounds granted to the King in anticipation of the Queen's confinement, and the great expense of the birth and baptism.

From that year onwards to within a short time of his death, he was a commissioner under various Acts of Convention and Parliament.

He was made a Privy Councillor in the year 1592, under an Act of Parliament; and in the following year another Act was passed anent the Privy Council, committing the daily remembrance, care, and direction, furtherance of the execution and administration of the weekly affairs concerning his Highness' estate and realm, to the Duke of Lennox and other Councillors, of whom Mr. David Carnegie of Colluthie was one, or any seven of them whom the King willed.[1] Mr. David Carnegie was also much employed in the affairs of the Church from the year 1580 and onwards. In that year, he and other members were ordained by the Assembly to pass with Mr. Andrew Melville to the New College of Saint Andrews, and see him 'plantit' there. Mr. David Carnegie was one of the King's Commissioners to the General Assembly held at Edinburgh on 24th April 1583.[2]

For the encouragement of learning in the county with which he was so closely connected, Mr. David Carnegie founded a bursary in the College of St. Leonard's in St. Andrews; and on 28th July 1592 he obtained a Crown charter of the patronage of the bursary, and of the lands of Middle Drummies and Greenden, in the county of Forfar, for the bursar's support.[3]

[1] Acts of the Parliament of Scotland, Record Commission Edition, 1814, vol. iii. pp. 437, 517, 521, 525, 547, 553, 562; *Ibid.* vol. iv. pp. 27, 34, 44, 50, 51, 65, 98, 113, 145.

[2] Calderwood's History, Wodrow Society Edition, vol. iii. 578, 605, 709, 751, 764; iv. 118, 649, 652, 683; v. 449, 491. 'The Booke of the Universall Kirk of Scotland.' Edinburgh, 1839, pp. 199, 205, *et seq.*

[3] Reg. Mag. Sig. Lib. xxxix. No. 34.

In the beginning of the year 1596, the Laird of Kinnaird was appointed one of the extraordinary commissioners of the Exchequer, better known as Octavians, from their number. They were not popular, and only acted for a few years.[1] In September of the same year, he attended a Convention at Linlithgow, held by the desire of James VI., as appears from a letter from his brother Robert.[2] David Carnegie only survived the Convention at Linlithgow about two years, having died on the 19th of April 1598. Archbishop Spottiswood, in his History of the Church, after mentioning the death of Mr. John Lindsay of Balcarras, thus notices the death of Mr. David Carnegie:—'Next to him Mr. David Carnegie of Colluthy, a wise, peaceable, 'and sober man, in good credit and estimation with the king, and taken 'into his Privy Council for his skill and knowledge in civil affairs.'[3]

The public services of Mr. David Carnegie are specially referred to on the occasion of his eldest son's elevation to the peerage, first as Lord Carnegie, and afterwards as Earl of Southesk.

Although this Laird of Kinnaird, from his profession and employment in the public service, must have maintained a considerable correspondence, yet very few letters written by him, or addressed to him, have been preserved.

The following are the only letters of Mr. David Carnegie which have been found. The first letter is addressed to his brother-in-law, the Laird of Wemyss; and the second, to his neighbour, the Laird of Panmure, younger:—

Rycht honorabill Schir,

Efter my waray hartly commendationis: zour sone of Bogy hes schawin me that ze wald hawe other ane reuersione of zour sone to redem the landis into the quhilkis ze put hym in, vpon ane rois nobill, gyf ze pleis, or ellis ze wald hawe ane band of his to consent to tak on sic sowms of mony as ze sall think guid for helping of the rest of zour bairnis, nochtwythstanding his fe. I dout nocht bot zour sone will aggre wytht ony of thir that ze pleis; and in my opinione, the reuersione salbe best: for I vnderstand zour sone will consent to ony thing that ze will think resonabill; and sway he will newer minister occasione to zow till vse that reuersione, bot will be obedient to zow in all thingis as of befoir. I purpes, God willing, to se zow on Fryday or Setterday at the farrest. Remitting forder

[1] Calderwood's History, vol. v. p. 393. Balfour's Annals, vol. i. p. 399.

[2] Original Letter at Kinnaird.

[3] Spottiswood's History, folio, p. 455.

thairto, eftir my hartly commendatiouis to the Lady, zour bedfallow, I eommit zow to the protectione of God, at Adinburcht, the xi. of Marche 1588.

Zour bruder to be commandit,
DAUID CARNEGY of Culluthy.

The rycht honorabill Laird [of] Wemys.[1]

RYCHT HONOURABILL SCHIR,—

After my hartly commendationis, I rassauit zour lettre wyth the reuersione. The reuersione is waray weill maid, and as I vndarstand, eonform to the contract in all pointis. Bot ther is ane falt iu it, quhilk is bot vitium scriptoris, quhilk gyf it had beiu bot anis writtin, I suld hawe mendit it, and subserywit and selit the reuersione; bot it is four tymis repatit. The falt is the pameut of the siluer to be in the zeir of God i^{m} y^{c}, and vij^{e} merkis, quhilk is four tymis repatit, or allis I suld hawe mendit it my self gyf it had bein bot anis. It is bot the falt of the writtar; and my man that writtis to me is away, or allis I suld hawe causit hym wret it our and mendit that falt; lyk as I sall quhanewer ze pleis to send it again to me wythin thir aueht dayes.

The caus quhy I mend not the reuersione and send it to zow, wes that I delayit quhill William zowr vnkill wad eum iu this euntre, that we mecht hawe aggreit [two words deleted]. For I hawe halden bak William's iii$^{c\ li}$ of the ix^{m} merkis, quhill we be aggreit [words deleted]. And gyf ze and I can aggre therupon, ze sall get that siluer, and I sall tak als lang takkis again therfor as reasone requiris. Alwayis ze sall hawe zour reuersione siluer quhan ewer ze pleis, for the contraet quhilk ze hawe will ay bind me to gyf the reuersione siluer. I hawe send the reuersione again to zow that ze may se the falt. And God keip zow! At Kynnaird, the vi. of September 1597.

Zouris at my powr,
D. CARNEGY of Kynard.

My corn is almaist schorn, therfor ze may eum est quhan ze pleis and chais pertikis, and ze sall get zowr reuersione than and siluer.

To the rycht honourabill Patrik Maull of Panmwr fear.[2]

Mr. David Carnegie was three times married :—First to Elizabeth, daughter and heiress of Henry Ramsay of Colluthie, who was killed at the battle of Pinkie. The troubles in which Sir Robert Carnegie and his son were involved on account of this lady during her minority, have already been noticed. She died before 4th March 1566, when the ward and marriage of her heirs were disponed to Mr. Robert Carnegie, parson of Kinnoul.[3]

[1] Original letter at Wemyss Castle.
[2] Original letter at Panmure.
[3] Original Discharge at Kinnaird.

Of the marriage with the heiress of Colluthie there were two daughters. The elder, named after her mother, Elizabeth, was born about the year 1565. On 6th May 1567 she was served elder heir-portioner of her mother, Elizabeth Ramsay, and on 31st July thereafter she was also served heir to her mother in the barony of Leuchars-Ramsay, the castle and mansion of Leuchars, and other lands in the county of Fife.[1]

Being under age, she was incapable of managing her estates without the appointment of curators. On 14th November 1579, the Commissary of St. Andrews issued an act of curatory, which narrates an edict at the instance of Elizabeth Carnegie, lawful daughter of Mr. David Carnegie of Colluthie, that she is past fourteen years of age complete. Charge is given to Sir John Carnegie of Kinnaird, James Carnegie of Balmachie, and John Carnegie of that Ilk, nearest of kin to Elizabeth Carnegie, 'maist honest and famous on her father's syde.' They were chosen curators to her on the father's side.

Provided with curators, the heiress of Leuchars, although only fourteen years, was next day provided with a husband. This was John Inglis, younger of Inglistarvit, in the county of Fife. He was the choice of the lady herself, against the wishes of Mr. Robert Carnegie, the donator to the ward and marriage of her and her sister. He offered her the choice of James Ramsay, apparent heir of Arbikie, Robert Ramsay, apparent heir of Balmain, or Melville of Raith. But she refused them all, and insisted that she was only obliged to marry John Inglis, younger of Inglistarvit. She added that she would not refuse to marry him for the King of France, nor none other in Scotland.[2] The contract of the marriage between her and the husband of her choice is dated at Leuchars on the 15th November 1579.[3] She thereby conveyed her half of Leuchars to her father, in respect of the large sums which he had paid for her, and also in respect that he, by virtue of the 'curialitas' (courtesy) of Scotland, had right to brook and possess her whole lands during her lifetime. Her tocher was £4000 Scots.[4]

[1] Retours at Kinnaird.

[2] Original Notes on Colluthie Writs, *ibid.*

[3] The extract Contract, bearing to have been recorded in the Books of Council and Session on the 19th of the same month, at Kinnaird.

[4] Discharge for the same, dated 4th January 1583, by Alexander Inglis of Inglistarvit (father of John), at Kinnaird.

On his own resignation, her father received a Crown charter of the barony of Leuchars-Ramsay, and other lands, dated 23d January 1588, and he was infeft in terms thereof on the 26th of March following.[1]

Elizabeth Carnegie afterwards, on 20th February 1587, resigned the half of the lands of Balmachie and Pittachope, in the county of Fife, in favour of her father, Mr. David Carnegie; and on that resignation he received a charter of these lands from Andrew Earl of Rothes, the superior, dated 31st August 1589.[2]

Of the marriage of Elizabeth Carnegie and John Inglis there were two sons and five daughters. From Catherine Inglis, the third daughter, descended George Martine of Clermont, in the county of Fife, who made considerable genealogical collections.

The younger daughter of the marriage of the heiress of Leuchars and Mr. David Carnegie was Margaret Carnegie. On 6th May 1567, she was served heir to her mother in Leuchars, etc., and conveyed her half of these lands to her father in 1582. She became 'Lady Fingask,' having married William Dundas, son of Archibald Dundas of Fingask, in the county of Perth. Their contract of marriage was dated at Leuchars, 10th January 1582. Her tocher was £4000, for which her father-in-law granted a discharge on 6th June 1584.[3] Of this marriage there was no issue. Lady Fingask died on 4th September 1589, and, on the 12th of November following, her sister, Lady Tarvet, was served nearest and lawful heir of Margaret Carnegie, 'Domina de Fingask,' her sister, in the lands of Balmedesyde and Pittaquhop, in the barony of Ballinbraich and shire of Fife.[4]

David Carnegie did not remain long a widower. About 4th October 1568, the date of their marriage contract, he married Euphame Wemyss, daughter of Sir John Wemyss of that Ilk, Knight, ancestor of the Earls of Wemyss. By the contract, Carnegie became bound to resign in the hands of the Crown the half-lands of the Kirktoun of Panbride and the Ratoun Raw Hevin, with the acres and fishings thereof, in the barony of Panbride, and shire of Forfar, for new infeftment thereof to be made to himself

[1] Original Sasine at Kinnaird.
[2] Original Charter, *ibid.*
[3] Original Discharge at Kinnaird.
[4] Extract Retour, *ibid.*

and Euphame Wemyss, his future spouse, and to the heirs-male of their marriage; which failing, to his heirs-male whomsoever; with the provision that if there were heirs-female only of the marriage, their father should pay them the sum of £1000 Scots for their sustentation and marriage. The father of the bride became bound to pay with her 2000 merks Scots.[1]

Of this marriage there was a family of four sons and four daughters:—

1. David, created Earl of Southesk.
2. John, created Earl of Northesk.
3. Robert, afterwards Sir Robert Carnegie of Dunniehen. He acquired the estates of Dunniehen, Lour, Ouchterlony, and Carraldstone, all in the county of Forfar, of which he obtained a charter from King James VI., dated 1st March 1595.[2] On 31st July 1605, he granted a discharge to Sir David Carnegie, his brother-german, of all he could claim by his father's death.[3] Sir Robert Carnegie married Isabel, daughter of Patrick Lord Gray, and sister of Andrew, then Lord Gray, who, by the contract of marriage, which is dated on 23d and 30th July 1623, provided her with a tocher of eight thousand merks Scots.[4] Of this marriage there was no issue. On his death, which occurred in December 1632, it was arranged by his heirs-at-law that his eldest brother should get the barony of Dunniehen, the second brother the barony of Lour, and the youngest brother the barony of Carraldstone.[5]
4. Alexander, ancestor of the Carnegies of Balnamoon, of whom a pedigree is given in a subsequent part of this work.

The four daughters of the marriage of Mr. David Carnegie of Colluthie and Euphame Wemyss were—

[1] Original Contract of Marriage at Wemyss Castle.

[2] Reg. Mag. Sig. Lib. xli. No. 66.

[3] Original Discharge at Kinnaird. James Carnegie, son-natural of umquhill Robert Carnegie, fiar of that Ilk, is a witness.

[4] Original Contract at Kinnaird.

[5] James Earl of Southesk, nephew of Sir Robert, was served heir-male of entail and provision to him in Dunnichen, etc., on 11th May 1658; and, on 15th December following, John Earl of Ethie, brother of Sir Robert, was served heir of conquest to him in the barony of Carraldstoun.—[Inq. Retor. xxv.: 50, 190.]

5. Jane Carnegie, who married James Carmichael of Balmedie, in the county of Fife, about 25th April 1590, the date of their contract of marriage. It appears from the contract that Mr. David Carnegie of Colluthie had obtained from Dame Jane Lyon, Countess of Angus, the gift of the ward of the lands of Kirkdrum, in the lordship of Abernethie and shire of Perth, since the decease of David Carmichael, with the marriage of his son and apparent heir, James Carmichael. According to the practice of the times, this gift enabled Mr. David Carnegie to arrange a marriage between the young heir of Balmedie and one of his own daughters. By the contract, James Carmichael obliged himself to infeft his future wife and the heirs of their marriage, in the lands of Balmedie and Craigpotie, which last she was bound to renounce, and be content with Balmedie and Kirkdrum, so soon as she was infeft therein by the superior, the Earl of Angus. The tocher of Jane Carnegie was £1000.[1] Of this marriage the eldest son was David Carmichael of Balmedie.[2]

6. Katherine Carnegie, who married John Aytoun of Kinnaldie, in the county of Fife. She appears to have been married at the same time as her sister Jane, as her marriage contract is also dated at Leuchars, 25th April 1590. The contract shows that Mr. David Carnegie of Colluthie had received from King James VI. the ward of the lands of South Kinnaldie since the decease of Mr. Andrew Aytoun of Kinnaldie, with the marriage of Mr. John Aytoun, his son and apparent heir. Mr. John Aytoun thereby promised to marry Katherine Carnegie, and to infeft her and the heirs of the marriage in the lands of South Kinnaldie. The contract provides, that if it shall happen that Robert Aytoun, then of Kinnaldie, 'that is Ideot,' to decease, so that Mr. John Aytoun may enter heir to him in the lands of North Kinnaldie, in that case he shall infeft himself and Katherine Carnegie and their children in these lands. The tocher of Katherine Carnegie was £1000 Scots, for payment of which she becomes bound by the contract, with consent of her curators, to infeft

[1] Original Contract at Kinnaird. [2] Original Renunciation by him, *ibid.*

Euphame Carnegie, her youngest sister, in a fourth part of the lands of Kynninmonth, in the shire of Fife, under reversion by Andrew Kynninmonth of that Ilk.[1] John Aytoun of Kinnaldie granted to his father-in-law, on 14th July 1590, a discharge for the £1000 of tocher promised by him in the contract of marriage.[2]

Of this marriage there was a family of five sons and six daughters. The third son was Andrew Aytoun, who was made a Senator of the College of Justice in 1661, by the title of Lord Kinglassie.

7. Agnes Carnegie, who married Alexander Falconer, younger of Halkertoun, in the county of Kincardine. Their contract of marriage is dated at Arbroath and Leuchars, 18th November 1594, and by it Alexander Falconer of Halkertoun, and Alexander his son, became bound to resign into the hands of the King, as superior, the barony of Halkertoun, and to obtain new infeftment in favour of Alexander Falconer, younger, and Agnes Carnegie, his spouse, and the heirs of their marriage. The tocher of Agnes was 8800 merks, which her father became bound to pay.[3] The marriage was completed on the 26th December 1594. The contract of marriage was ratified by Alexander Falconer, younger, by ratification dated at Leuchars, 24th October, and recorded in the Books of Council and Session, 15th December 1595.[4] Of this marriage there was a family of three sons, Alexander, first Lord Halkerton, Sir David Falconer of Glenfarquhar, and Sir John Falconer of Balmakellie, and one daughter, Agnes Falconer.

8. Euphame Carnegie,[5] who married Robert Grahame, younger of Morphie, and oy (grandson) of Sir Henry Grahame of Morphie, Knight. Their contract of marriage is dated at Montrose, Kinnaird, and Morphie, on the 15th, 16th, and 20th of October 1599. Robert Grahame promises, God willing, to marry and take to wife Euphame Carnegie,

[1] Original Contract at Kinnaird.

[2] Original Discharge, *ibid.*

[3] Extract Registered Contract, *ibid.*

[4] Extract Ratification, *ibid.*

[5] Euphame is called the youngest daughter in the marriage contract of her sister Katherine, and also in the will of her father. The other sisters are here ranked in the order in which they are named in a Renunciation of their interest in a Reversion of the lands of Kynninmonth.

and to complete and solemnize the bond of marriage with her in face of Holy Church. For completing the marriage, and for the tocher to be paid with Lady Euphame, Sir Henry Grahame and Robert Grahame bind themselves to infeft her in liferent in the three west quarters of the Mains of Meikle Morphie, then 'labourit' by Sir Henry Grahame, with his own goods, with the tower, fortalice, orchards, yards, houses, etc., within the barony of Morphie Meikle, and in the quarter of the town and lands of Cumiestoun, in the parish of Eglisgreige, all in the shire of Kincardine, belonging to Sir Henry Grahame and Robert Grahame: And they warrant all these liferent lands to be worth the yearly rent of twelve chalders victual.

Sir Henry Grahame also obliges himself to receive, before Martinmas then following, and to entertain in house with him, the said Robert Grahame and Euphame Carnegie his spouse, with all necessaries needful for their entertainment and honest sustentation till harvest-time thereafter; and to pay them five chalders victual as the half-farms of Morphie and Cumiestoun for crop 1599.

Sir Henry Grahame also becomes bound to deliver to the young married persons, as much good and sufficient corn, with the fodder, as will serve and suffice for the plenishing, sowing, and labouring of a 'pleuche' of the said three quarters of the mains of Morphie, with ten good oxen, and also, at the said term of Martinmas, to put Robert Grahame and his spouse in possession of the said tower, fortalice, houses, yards, orchards, and a 'pleuchis' labouring of the mains foresaid.

For which causes, David Carnegie of Kinnaird, brother of Euphame Carnegie, bound himself to pay to Sir Henry Graham or Robert Graham, ten thousand merks Scots, for redemption of the barony of Morphie, but under reservation of the liferent of Elizabeth Ogilvy, mother of Robert Graham, in the lands of Pilmuir, and the liferent of Sir Henry Graham and Katherine Lindsay his spouse in the barony of Morphie. Sir Henry also agrees to redeem the hill of Morphie and Silliecoats from his sons Patrick Graham and Robert

Graham, and Margaret Douglas spouse of the former, or to pay to Robert his grandson twenty-two hundred merks.

There is a provision that, in case, 'as God forbid,' there should be no sons of the marriage, but only daughters, Robert Graham should pay them, at their age of fifteen years, the sum of ten thousand merks.

The cautioners of Sir Henry Graham, for his fulfilling his part of the contract, were John Earl of Montrose, Chancellor of Scotland, and John Graham, Master of Montrose; and the cautioners for the Laird of Kinnaird were, Robert Arbuthnot, fiar of that Ilk, and David Ramsay, younger of Balmain.

The contract of marriage bears to have been written by Mr. John Wemys, minister at Kinnaird, and it was recorded in the books of the Commissary of Brechin on 4th September 1602.[1]

It will afterwards be shown that in the next generation other two matrimonial alliances were entered into between the houses of Graham and Carnegie, one by the marriage of James, first Marquis of Montrose, and Lady Magdalene Carnegie, youngest daughter of David, first Earl of Southesk, and the other by the marriage of William Graham of Claverhouse and Lady Magdalene Carnegie, daughter of the Earl of Northesk.

Euphame Wemyss, Lady Colluthie, lived to see the marriages only of her first and second daughters. She died on the 16th of November 1593, without having made any will or testament. The testament-dative and inventory of her goods was given up for confirmation by her husband, Mr. David Carnegie, as administrator to Robert, Alexander, Euphame, and Agnes Carnegie, their children, who were decerned executors-dative to their mother by the Commissary of Edinburgh on 1st June 1594.[2]

Lady Colluthie and her husband the Laird had at Leuchars and Collnthie a considerable number of oxen, horses, and sheep, which, with the wheat and bear in their barns, and meal in their girnals, and ready money in their coffers, amounted in all to the sum of £5392 Scots.

Five months after the death of Euphame Wemyss, her widower married

[1] Extract Contract at Kinnaird. [2] Confirmation of Testament, *ibid.*

a third wife, named simply Janet Henrison, without any addition or designation.[1] Judging from the terms of their contract of marriage, and from the small provision made in her favour, she was probably of humble origin. The contract is dated the 26th of April 1594. She is thereby provided to an annual-rent of £100 Scots, and three chalders of victual yearly, from the barony of Leuchars, in full of her terce; and in the event of his predeceasing her, which he prays 'God to forbid,' he becomes bound to provide to her 500 merks as her third of his goods. She, on the other hand, renounces her terce on his lands, and the third of his goods, and if she predeceases him, she leaves her third of the goods to him and his 'bairns,' to be divided among them at his discretion.[2] Janet Henrison survived her husband, and is mentioned as his widow in 1599. Of the marriage there was no issue.

On the day previous to his death, which took place on 19th April 1598, Mr. David Carnegie made his will, which was confirmed by the Commissary of Edinburgh on the 5th of February thereafter.

From the inventory of the laird's personal estate, it appears that he farmed a considerable part of Kinnaird and Leuchars himself, as his father had done before him. The value of his oxen, sheep, victual, and meal, at Kinnaird, Cruvie, Leuchars, and Montrose, amounted, with his household furniture at Kinnaird, to £14,506. Among the debts owing by him are certain sums to Margaret and Agnes Carnegie, daughters of the late James Carnegie of Balmachie, and to John Carnegie, their youngest brother.

According to his own special request, as contained in his will, the mortal remains of Mr. David Carnegie of Kinnaird were to be interred in the burial-place of the family, where the 'auld kirk was.' The kirk here referred to was the kirk of Cookstoun, which was superseded by the new church begun to be built by this laird, and called the church of Kinnaird. He also ordains his son to put up the 'buriall' with as great diligence as he can. This evidently refers to a new burial-place for the family in the new church at Kinnaird.

[1] She appears to have been the widow of Alexander Guthrie, Town-Clerk of Edinburgh; and her son by him, also Alexander Guthrie, was 'common-clerk' of Edinburgh, on 11th December 1598—[Original Assignation by her to her son, Alexander, of that date, at Kinnaird].

[2] Original Contract, *ibid.*

We cannot do better than close this account of the useful life of the Laird of Colluthie and Kinnaird in his own words, as contained in his will:—

At the place of Kynnaird, the auchtene day of Aprile the zeir of God 1^m v^c four-scoir auchtene zeiris; the quhilk day the said Maister Dauid Carnegie of Kynnaird, seik in bodie, bot haill in conscience, God be praisit! maid his legacie and lattir-will as eftir followis: viz. In the first, I leif my saull to the mercie of God, throw Jesus Chryst, my Lord and onlie Saluiour, and my bodie to be bureit in the buriall [place] quhair the auld kirk was: Item, I nominat Dauid Caruegie, my eldest sone, onlie executour and intromettour with my haill guidis and geir, and dispones to the said Dauid, my executour foirsaid, my haill guidis and geir, becaus I haue prouidit my bairnes sufficientlie: Item, I leif to Ewffame Carnegie, my zoungest dochter vnhelpit, to pay her tochergud with, provyding scho vse my sones counsale and freindis, ten thousand merkis: Item, I am awand to Margaret Carnegie, dochter to wmquhile James Carnegie of Balmacchie, hir bairnes pairt of geir, and thairfoir I ordane my sone to giff hir thrie thousand merkis, provyding scho vse his counsale and freindis: Item, I am awand to hir sister, Agnes Carnegie, hir bairnes pairt of geir, and thairfoir I ordane my soue to pay hir twa thowsand merkis, provyding scho vse his counsale and freindis: Item, I am awand to Jhone Carnegie, thair zoungest brother, his bairnis pairt of geir, and thairfoir I ordane my sone to pay him ane thowsaud merk[is], provyding he vse his counsale and freindis: Item, I ordane my said sone, executour foirsaid, to releif the half landis of Balnahreich of the sowmes that is vpone thame, and to mak thame frie to his brother Alexander, in contentatioun of his bairnes pairt of geir, and to help him farder as he may: Item, I ordane him to vse my brother, the gudman of Carnegeis counsale, in all thingis that he hes ado: Item, I ordane my said sone to compleit the wark of the Kirk of Kynnaird, and to provyd the infeftment thairof, and to do all vther thingis to it till the work be compleit: Item, to put vp the huriall with als grit diligens as he can: In witnes heirof, becaus I mycht not subscrywe my selff, Maister Johne Weymis, minister at Kynnaird, hes subscryuit thir presentis at my command. This was done day, zeir, and place forisaidis, beffoir thir witness, Johne Carnegie of that Ilk, Dauid Carnegie, my eldest sone, Maister Andro Leitch, minister at Marictoun, and Dauid Ramsay, appeiraud of Balmarino [? Balmain], with vtheris diuerss.[1]

[1] Original Will at Kinnaird.

THE LORDS CARNEGIE AND EARLS OF SOUTHESK, 1616-1715.

XI.—Sir David Carnegie of Kinnaird, created Lord Carnegie and Earl of Southesk, 1598-1658.
Margaret Lindsay (of Edzel), 1595-1614.

Sir David Carnegie of Kinnaird, afterwards Lord Carnegie and Earl of Southesk, was born in the year 1575, and succeeded his father in the old family estates of Kinnaird in 1598. Three years before his succession, he married Margaret Lindsay, daughter of his neighbour, Sir David Lindsay of Edzel, and his wife, Lady Helen Lindsay, only daughter of David, tenth Earl of Crawford.[1] On the occasion of this marriage, his father became bound to provide the lands of Colluthie and Balmedyside, and the barony of Leuchars, all in the county of Fife, and the barony of Panbride, in the county of Forfar, in favour of his son David Carnegie and his wife, in conjunct fee, and the heirs-male of the marriage. Sir David Lindsay also thereby provides his daughter to a tocher of ten thousand merks. The contract for this marriage bears date at Brechin 8th October 1595.[2]

David Carnegie inherited the talents of his father and grandfather for public business, and like them passed a long and active life in the service of his country. The Crown, as we shall presently see, acknowledged his merits by granting him two peerages.

In the year 1601, the Laird of Kinnaird appears to have contemplated making a tour in foreign countries, and arranged to travel with two of his neighbours. On the 9th of July of that year they obtained from King

[1] Sir David Lindsay stated that he married Lady Helen 'without ony tocher'—(Lives of the Lindsays, vol. i. p. 205).

[2] Original Contract at Kinnaird. There is at Kinnaird a beautiful specimen of the handiwork of Margaret Lindsay. It is a silk velvet cloth, richly embroidered, and having in the centre the armorial bearings of the Carnegies impaled with those of Lindsay.



George Jamesone pinxit 1637

Southesk

DAVID FIRST EARL OF SOUTHESK.

James VI. the following license to travel in England, France, Flanders, etc., for a period of two years :—

REX.

We, be the tennour heirof, grantis and gevis licence to our weilbelouittis, Dauid Carnegye of Kynnaird, Johnne Scrymgeour, appearand of Dudop, and Dauid Ramsay of Fascay, and twa seruandis with thame in cumpany, to departe and pas furth of our realm toward the pairtis of England, France, Flanderis, and vtheris pairtis bezond sey, thair to remayne for thair bettir sicht, and doing thair vther lesum effairis and besines at thair plesour, during the spacc of twa zeiris nixt to cum eftir the dait heirof; and will and grantis that thay nor thair transportaris sall not be callit nor accusit thairfoir, criminalie nor ciuilie, nor incur na cryme, skaith, pane, nor danger thairthrow, in thair personis, landis, nor guidis, be ony maner of way in tyme cuming; notwithstanding any our actis, statutis, lettres, chairges, or proclamationis maid or to be maid in the contrair: anent the quhilkis and panis thairin contenit we dispence be thir presentis; dischargeing heirfoir our Justice, Justice Clerk, Thesaurare, Aduocat, and all vtheris our Judges and Ministris of our lawes, thair deputis and officiares, off all calling, accusing, persewing, warding, trubling, or in anywayes proceading aganis the saidis personis or thair transportaris in thair schippis for the caus foirsaid, poinding or vnlawing of thame thairfoir, and of thair offices in that part: Prouiding alwayes that the saidis personis, induring the tyme of thair abscence furth of our realm, behave thame selffis as our dewtifull and obedient subiectis, and do nor attempt na thing in hurt or preiudice of ws, our ancient realm, nor Goddis trew religioun, presentlie profest and established within the samen; vthirwise this our licence to be ineffectuall be thir presentis. Gevin vnder our signett and subscriuit with our hand, at Haliruidhous, the nynt day of Julij, and of our regime the xxxiiijth zeir, 1601.

JAMES R.

L. S.

Signet the nynt of Julij, J. BELL.[1]

It is not certain that the Laird of Kinnaird carried out his intention of travelling. If he ever left his native land, he could not have visited countries at any great distance, for he was once more at Kinnaird before the two years' absence allowed him in this license had expired. At this time King James was very anxious about the succession to the English throne, which, owing to the continued indisposition of Queen Elizabeth, seemed likely soon to become vacant. To amuse himself, and distract his thoughts

[1] Original License at Kinnaird.

from the cares of State, the King paid a visit to the Laird of Kinnaird at his castle of Kinnaird, and during his stay his Majesty enjoyed the pleasure of the chase in the adjacent muir of Mountromont. He was accompanied by George Nicolson, the English agent in Scotland, who communicated to Cecil, the English minister, all that was occurring with the King. In a letter, dated Brechin, 16th April 1602, Nicolson wrote to Cecil the following account of a speech which the Laird of Kinnaird made in proposing the speedy joining of Scotland and England :

The King remaynes still in these partes, feasted vp and downe the eontry, and very kyudely earyenge me with him, and playenge at mawe against Mr. Lepton and me. At his being at Kynnarde he was well entertayned and weleomed, where in drinck the larde of the house thought he should haue pleased the King by drinekinge to the joyninge of thes two Kingdomes in one, and soone, and sayeing he had forty muskitt ready for the Kinge's serviee to that vse; whieh the King saide was a faulte in him to wish soone, or by foree, and protested he wished no haste, but Gode's tyme in it, and her Majestie's daies to be longe and happie, without any abridgment of them, or howre of them, for any eause or kingdom to him; prayeing God if he wished otherwaies in the seerett of his harte, that he neuer enjoyed his owne kingdome or life, with many good wordes of her Majesty, and protestaeiones that he looked not for it by foree but by right, when that day should eome, and with fauor of the people, and not as a eonquerpr. And, by the way, in his goinge from thenee to Montrosse, he protested in his diseourse with me, his vpright and true harte to her Majesty to be neuer to wishe or know her hurte, but to reveale it, as God should judge him; and that, as her kynsman and eommed of her Majesty, he aught her and would performe her alleageanee, and would be subjeet and answere her as her subjeet so in anything, albeit, as King of Seotland, he was not so bound; with mauy other better wordes than I ean write, aequiting her Majesty of the Queen his mother's deathe freely. The King intends to write his thanekes to her Majesty, and is still impeded, but within few daies will do it. I se him of that good mynde as I ean not wish him better, nor do thinek there is anythinge in his powre that he may pleasure her Majesty in that he will not willingly do, so well affeeted is he now to her Majesty. He staid in thes partes huntinge, but with mynde also to reeonsile Murray and Huntlay, and to have them at the baptisme, where the younge Prinee[1] I thinek shall not now be. In this tyme, also, he is doinge justiee, and agreinge vther quarrells in this eontry.[2]

Queen Elizabeth died on the 24th of March 1603, and King James VI.

[1] Prince Henry.

[2] Correspondence of King James VI. with Sir Robert Cecil. Printed by the Camden Society, 1861. Preface, p. xlvi.

ascended the throne of England. On the 10th of April following, his Majesty, then on his way to England, wrote from Newcastle to the Laird of Kinnaird, requesting him, as 'ane in special,' to accompany 'our dearest 'bedfellow' the Queen, and their children, on their journey to London. The letter is in the following terms :—

Richt traist freind, we greit zou hertlie wele : Sceing our people heir langis na lesse for our dearest bedfollow, the Quene, and our childrene, then they did for our selff, and that it wes not zour fortoun to accumpany ws in that our wayage, in respect of the schortnes of tyme, and zour not preparatioun, we haue maid chois of of zow as ane in speciall for the convoy to Londoun of our said dearest bedfollow, quhom we haue appointed to begin hir journay betwixt and the first day of May nixt : And thairfoir will effectuusly requeist and desire zow to prepair and addresse zour selff, in zour cumliest manner, to convoy, accumpany, and attend vpoun our said dearest bedfollow in that hir haill journay to Londoun : and for the same effect, to be in readynes vpoun her aduerteisment betuixt and the day foirsaid, as ze tender our honnour and the honnour of the cuntrey, with our speciall pleasour and seruice : Sua we commit zow to God. From Newcastell, this tenth of Aprile 1603.

JAMES R.

To our richt traist freind, The Laird of Kynnaird in Angus.[1]

The Laird complied with this request and, for his services on this occasion, he received from the King the honour of knighthood.

In the Parliament held at Edinburgh on 11th July 1604, Sir David Carnegie was nominated one of the Commissioners who were appointed to consult upon a perfect Union of the realms of Scotland and England. The object of this Commission was as unpopular in Scotland at that time as it was in the end of the century ; but the event has fully justified the wisdom of King James's attempt to extinguish 'bygane remembrances,' and to prevent the 'future growth of many particular debates and unhappy accidents.'[2]

After King James was securely seated on the English throne, he openly prosecuted his previously cherished purpose of assimilating the form of Church government in Scotland to that which existed in England. In 1604, he appointed a General Assembly of the Church to be held at Aberdeen, but he afterwards postponed the meeting till the second day of July in the following year. The King made some attempts to prevent the

[1] Original Letter at Kinnaird.

[2] Acts of the Parliament of Scotland, Record Commission edition, vol. iv. pp. 263, 264.

Assembly from meeting on that day also; but it was notwithstanding held, though it dissolved itself without proceeding to the transaction of business. These postponements caused great dissatisfaction to many of the Presbyterian clergy; and for holding the Assembly several of them were imprisoned in Blackness Castle.

Sir David Carnegie took an active part on behalf of the King in the questions raised between him and the Presbyterian clergymen. On the 25th May 1606, the King wrote the following letter from Greenwich to Sir David, thanking him for his services :—

James R.—

Right trustye and weilbeloued, we greit zow hairtlye weill: Being certified by Maisteris Androw Lamb and James Nicolsoun of your greit affectioun and earnestnes to furder and advance our service, and of your greit willingnes in asisting the ministrie by zour presencc, counsell, and advyise, to settle the estaite of the churche of that our kingdome, by establischeing of goode ordour and rewll thairintill, we culd not omitt to rander vnto zow our hairtye thankis thairfoir: assureing zow that as zour bypast cariage hes contented ws muche, so will we noway be vnmyndefull of these zour dewtifull paynes and endevouris takin in our service, being fullye resolued, as occasioun sall offer, to give sum particular testimony and token of our love and favour to zow: In the meantyme desyring zow to continew in that zour willingnes to our service, according as ze salbe acquayntit with our forder pleasure and will in these materis by the saidis Maisteris Androw and James, quhome we will zow to credite in that behalf; and so we bid zow right hairtlye fairweill. From our Courtc at Greynewich, the xxv. of May 1606.

To our right trustye and weilbeloued Sir Dauid Carnegye of Kynnairde, Knight.[1]

Towards the end of the same year, the King resolved on calling a meeting to deliberate on the affairs of the Church. It has been questioned whether this was an ordinary General Assembly, or merely a meeting for composing differences in the Church. In the letter now to be quoted, the King calls it a 'meeting.' It was begun at Linlithgow on the 10th of December 1606. Sir David Carnegie was present at that meeting. In the sederunt,

[1] Original letter at Kinnaird. Mr. Andrew Lamb, one of the ministers mentioned in this letter, was appointed Bishop of Brechin in April 1607. He was afterwards translated to Galloway in 1619. Mr. James Nicolson, the other minister, was elected Moderator of the next General Assembly, which was held at Linlithgow on 10th December 1606. He was in the following year appointed Bishop of Dunkeld, and died in August the same year. Row, in his History of the Kirk, has quoted (p. 243) some uncomplimentary Latin lines on the death of Bishop Nicolson.

he is ranked at the head of the barons under his territorial designation of 'Kinnaird.'[1] The King's letter requiring the attendance of Sir David at that meeting has not been preserved; but the following letter from the King to another Angus baron, states the reasons which induced King James to appoint the meeting to be held :—

LETTER from KING JAMES VI. to the LAIRD OF INNERQUHARITIE.—
1st November 1606.

JAMES R.—

Trustie and weilbelouit we greit zow hartlic weill: Being most cairefull to haue grudgis and distractiones arrissin of laite amangis sum of the Ministrie of the Kirk of Scotland so tymouslie setled, as the mony fold sclanderis and hairmes quhilk micht eusew vpon the farder progres thairof, and the advantage quhilk papistis and vtheris ennemeis of the Kirk and estaite micht haue taikin thairby, being prevented, peace, vnitie, and gude ordoure may heirefter be estableished and obseruit within the same, to the glorie of God and dew obedience of our authoritie, We haue, thairfoir, appointit ane meitting of sum of oure nobilitie and counsall, with ane greit number of the ruiuistrie, quhome we haue knawin best affected to quyetnes and gude ordoure at Linlithgow, the tent day of December nixtocum, thair to aduyse, ressolue, and proceid to the prouyding of sik remidcis for bypast greiffis and dissentiones, and estableising of so wyse and godlie ordoure to be obseruit amangis thame in tyme cuming, as may be most agreiabill to the weill and quyetnes of thair awin estaitis and obedience to oure authoritie, as lykwayes for tryall and puneisment of traffiking obstinat and seditious papistis, and vtheris excommunicat persones, and thair ressetteris, and sik as resortis not to the preiching and communioun, according to our lawis and actis of of parliament; and becaus we haue alwayes knawn zoure zeale to religioun, and loyaltie iu our seruice, we haue, thairfoir, thocht zour presens and assistance necessar at the foirsaid meiting, quhilk we desyre and command zow, all excuses set asyde, preceislie to keip, and thair to geiue zour counsall and concurrence withe the rest of our nobilitie and counsall, whome we haue commandit to be present to try and repres the ennemeis of oure estaite and religioun, and peciablie estableis suche quyetnes aud gude ordoure in the churches as may vndoutedlie tend to Godd's glorie and oure obedience. Swa assuring our selffis that zour caire and diligence in this will ansuer to our expectatioun, and that ze will advance, so far as ze can, our iust and godlie intentiounes, to be more particularlie imparted to zow be these quhome we haue informed and expreslie directit fullelie to certifie zow of the same, We bid zow hartlie fair weill. At Whythall, the first of Nouember, 1606.

To our trustie and weilbelouit The Laird of Innerquharitie.[2]

The meeting or Assembly referred to did not accomplish all that the

[1] Calderwood's History, vol. vi. p. 604.

[2] Original letter at Baldovan.

King desired. Calderwood maintains that the Acts of that Assembly, as they were produced by Mr. James Nicolson, the Moderator, six months after the meeting, were not authentic, and that they were 'adulterated' at Court. It is possible that the King had made some alterations on the Acts as originally framed, as they did not seem to satisfy him. The Moderator, Mr. Nicolson, became a martyr to these Acts. Thinking, in his wisdom, to please both the King and the Kirk, he failed in pleasing either; and he was so mortified at his failure, that it is said to have been the occasion of his death.[1]

For composing the differences which still continued in the Church, and for taking order by reason of the great increase of Papists, another General Assembly was licensed by King James to meet at Linlithgow on the last Tuesday of July 1608. George Earl of Dunbar was appointed Commissioner. The King was anxious for the presence of Sir David Carnegie in this Assembly; and to insure his attendance, he wrote to him the following letter:—

James R.—

Trustie and weilbeloved, we greit yow weill: Whereas we have licenced the Generall Assembly of the Church of that kingdome to be kept the last Tewsday of Julij next, at our burgh of Linlithgow, as weill for composeiug of the present differences in the same, as for some order to be taken with this great increase and growthe of papistis within that kingdome; to the effect, therefore, that all thingis may be dewly ordered, and in decent forme procedit into, and knowing that your presence there may doe much good, We are to desire yow earnestly noe way to be absent from that Assembly, and by your counsell and advice to furder the pacifieing of all questiou that is in the Church, and to asist any such course that salbe propounded for suppressing of coutrarie professors: wherein, noe way doubting but your owne zeale aud affection to the trewth professed salbe motives sufficient, ye sall also therewith gayne our speciall thankis, according as yow will more particularly [learn] from our right trustie couseing and Counsellour the Earle of Dounbarr, whome we have sent with speciall creditt as our Comissioner to that meiting: and soe we bid yow farewell. From our Courte at Grenewich, the xiiijth of Junij 1608.

To our trusty and welbeloued Sir Dauid Carnegy of Kinuaird, Knight, these.[2]

[1] Calderwood's History, vol. vi. p. 630.

[2] Original Letter at Kinnaird. On the 4th of July 1608, the Lords of the Privy Council granted permission to Sir David Carnegie of Kinnaird, and Alexander Carnegie his brother, to remain at home from the gathering of the King's forces appointed to meet at Yla on the 1st of that month. —[Original License at Kinnaird.] In the same year, Sir David paid £40 as his part of the taxation for 'imprinting of the auld laws.'—[Receipt, *ibid.*] In the following

In the Convention held at Edinburgh on 27th January 1609, and in the Parliament held on 24th June in the same year, Sir David Carnegie was appointed a Commissioner for suppressing the crime of rape; and in the same Parliament he was also appointed a Commissioner for reforming abuses in the University of Saint Andrews.[1]

In the Commission which was granted by King James under the Great Seal at Roystoun, on 20th January 1610, appointing two Courts of High Commission, Sir David Carnegie is nominated one of the Commissioners for the province of Saint Andrews. The other province was Glasgow, for which in the same Commission separate Commissioners were appointed. One of the Courts was presided over by the Archbishop of St. Andrews, and the other by the Archbishop of Glasgow. When Spottiswood was translated from Glasgow to Saint Andrews in 1615, the two Courts were united into one by a Royal Commission, dated at Roystoun, 21st December 1615, in which Sir David Carnegie is again named one of the Commissioners.[2]

This Court of High Commission was a new establishment in Scotland, modelled after a similar institution in England. To this Court all other ecclesiastical Courts were subordinate, and its proceedings were very generally complained of as inquisitorial and oppressive.[3]

Sir David Carnegie, however, whether acting as a Civil or as an Ecclesiastical Commissioner, showed himself worthy of the credit and trust reposed in him in these employments, as appears from the following letter addressed to him by King James, dated the 13th October 1611:—

James R.—

Trustie and welbeloved, we greete yow well: Being advertised by our Secreatarie of your carefull diligence in the execution of your place and charge, as one of our Justices of our peace within that Sherifdome, and in speciall of your frequent meeting and keeping of Quarter Sessions, concurring alwayes with your fellow Justices at there conveyninges; whereby yow haue geven good proofe of your affection to oure service, and haue shewed your self worthie of the creditt and trust reposed in

year Sir David Carnegie obtained a permission from the King to export the corns grown upon his lands.—[Original, *ibid.*]

[1] Acts of the Parliament of Scotland, vol. iv. pp. 409, 442, 454.

[2] Calderwood's History, vol. vii. pp. 58, 204.

[3] Calderwood complains bitterly of Archbishops Spottiswood and Law, as principal managers of this Commission. He

yow, we could not but take speciall notice thereof, and returne vnto yow our hartie thankes: Not doubting of the continewance of your forwardnes in our said service (as a good example to stirr vp others to the lyke), whereof we will not be vnmyndfull when occasion shalbe offerred for your good, we bid you farewell. From our Courte at Roiston, the 13th of October 1611.

To our trustye and welbelowed Sir Dauid Carnegye of Kinnarde, Knight, Conveynar of our Justices of Peace within the Sherefdome of Forfare.[1]

In the Parliament of 1612 Sir David was one of the Commissioners who sat for the shire of Fife; and he was made a member of the Commission appointed by the Estates of the Kingdom for considering the penal laws, and of the Commission appointed in reference to the taxation made to His Majesty.[2]

In reward for the services rendered to the State by himself and his ancestors, Sir David Carnegie was, on 14th April 1616, honoured with the title of Lord Carnegie of Kinnaird.

The patent of creation bears, that Sir Robert Carnegie of Kinnaird, Knight, had faithfully rendered in times past many distinguished and grateful services to Queen Mary and her mother, the Regent, partly in the gravest and most important affairs of the realm of Scotland, and partly by embassies undertaken by the order and command of their Majesties to England and France; that David Carnegie of Colluthie, who zealously imitated the laudable example of his father, had spent a life adorned by virtue through a long course of years, in unwearied toils and watchings in attending the affairs of the King and the realm; and that Sir David Carnegie of Kinnaird, Knight, following the distinguished footsteps of his father and grandfather, hath unobtrusively exhibited singular prudence, sound judgment, and zeal towards the King, not only in all congresses and assemblies, public conventions and parliaments of the Three Estates of Scotland, but also by his laudable endeavours, upright counsel, and faithful suffrage, hath zealously striven to promote the Union of the kingdoms of Scotland and England: Therefore the King, both that he might incite Sir David to pursue the well-begun path of virtue during the rest of his lifetime, and that others,

calls them 'two prettie football men,' who had then the ball at their foot.—[*Ibid.* p. 210.]

[1] Original Letter at Kinnaird.

[2] Acts of the Parliament of Scotland, vol. iv. pp. 466-468, 473, 475.

of an honourable condition, and descended of distinguished parents that had formerly deserved well of the King and his ancestors and country, might be encouraged to aspire to the like rewards of dignities as it were by the incitements of honour and glory, the King made and created Sir David Carnegie a Baron of Parliament, by the style of Lord Carnegie of Kinnaird. The dignity was limited to Lord Carnegie and his heirs-male in all time coming.[1]

Lord Carnegie was soon after appointed an Extraordinary Lord of Session, and took his seat on the bench on the 5th of July 1616.[2] He continued to occupy the place of an Extraordinary Lord of Session till the death of King James VI., in 1625. He was also admitted a Privy Councillor in the month of February 1617.[3]

When King James left Scotland to assume the English Crown, he promised to revisit his native kingdom once in every three years; but he did not return to Scotland till the year 1617, when he declared that he felt a 'salmon-like instinct' to revisit his native kingdom.

The difficulties of a journey between the English and Scottish capitals were then more formidable than those who are accustomed to the safer and more expeditious modes of travelling of the present day may be ready to imagine. In James's time, weeks, if not months, were required to prepare for so serious a journey. The arrangements connected with the Royal visit in 1617 were intrusted to the Privy Council of Scotland. Lord Binning, the Secretary of State, wrote to his Majesty informing him that the boats of Dundee could not possibly transport the tenth part of his train from Falkland in one day.[4]

Notwithstanding the difficulties of the journey, James reached Scotland about the middle of May, and remained until the 4th of August 1617. Amongst the houses which were honoured by his presence was Kinnaird, the residence of Lord Carnegie in Angus.

Lord Binning in a letter to the King, dated 1st May 1617, says,—'It is 'not sene how your Majestie's stuffis can be transported and in due tyme

[1] Original Patent at Kinnaird; printed in Minutes of Evidence in the Southesk Peerage, 1848, p. 3.

[2] Pitmedden MS. (quoted in Senators of College of Justice).

[3] Balfour's Annals, vol. ii. p. 64.

[4] The Melrose Papers, vol. i. p. 287.

'placed at Kinnaird, unless your Majesty stay two nights at Dundie, in 'your first passage, and mak the lyke stay at Dundie in your returne from 'Kinnaird.'[1]

A note from the Privy Council transmitted to the King with this letter informs him that there is a new advertisement sent to the Bishop and Magistrates of the city of Brechin, and to the Magistrates of the town of Montrose, to cause all necessary provision of 'viuers' for horse and men to be abundantlie provided in their towns for the King and his train, and to cause 'haikis' and 'mayngeris' to be set up in barns for the better stabling of his Majesty's and his train's horses.[2]

After stating the order of his Majesty's entry into Scotland, and his visit to Fife, the note sets down the visits to Forfarshire. The Sheriff of that county, the Earl of Errol and Lord Carnegie, were appointed to attend his Majesty to Dundee, and thence to accompany him to Kinnaird. The Sheriff of Kincardine, the Earl Marischal, and his son Lord Keith, with the barons and gentlemen of the Mearns, all well horsed, and in good equipage, were appointed to attend his Majesty at Kinnaird, and thence to accompany him to Dundee.

The transport of the King's carriage from place to place required forethought. Difficulties were 'proponed' about getting the carriage across the ferry at Dundee, in respect of the multitude of passengers and carriages, and the small number of boats to transport them. This weighty matter was remitted by the Privy Council of Scotland to his Majesty and the Privy Council at Berwick.

The Scottish Privy Council wrote to the Conveners of the Justices of the Peace for Perthshire to arrange for 'lifting of the carriage at Perth,' and carrying it to Forfar, and similar instructions were given respecting the transport of the carriage from Forfar to Kinnaird.

The note regarding the preparations made for his Majesty's progress in Forfarshire, concludes with an intimation that, the towns of Forfar and Arbroath being most convenient to Monromont, where his Majesty was to enjoy the chase during his stay at Kinnaird, and it being probable that some of his Majesty's train and followers should make their address

[1] The Melrose Papers, vol. i. p. 287. [2] *Ibid.* p. 289.

for lodgings in these towns, the Magistrates had been written to for the purpose of causing the towns to be well and abundantly furnished with all kind of 'viuers' for men and horse, and with good naprie and bedding.[1]

From 'The Muses' Welcome' to King James, a work edited by John Adamson, minister at Liberton, afterwards Principal of the University of Edinburgh, it appears that the King came to Kinnaird on Thursday the 22d of May 1617, and was there welcomed by the recital of two very laudatory poems, one in Latin by 'Joannes Leochaeus,' and the other in English by Alexander Craig, of Rose-Craig.

The poems are too long for insertion in this place. The English poem by Mr. Craig will be given in the Appendix, and the following extract from it may here be quoted, as showing the variety of amusements which awaited his Majesty at Kinnaird :—

Stay then (dread Leige) O stay with ws a while,
With pleasing sports the posting tyme begyle :
Thy fynest Hawks and fleitest Hounds shall find
Of fowls and beasts, a pray of euerie kynd.
For morning both and euenyng flight, each day
Each Hawk thou hast, shall haue her proper pray ;
Each fowl that flies shall meit thee in thy way,
And in their sorts shall *Ave Cæsar* say.
Throgh forests, Parks, and fields hunt stag and haire,
It helps the health to haue the natiue air.
Hee that taks pains and travell sleepeth best,
With greidines hee taks refreshing rest,
His meate to him seems savorie, sweet, and fyne,
Hee glaidlie drinks the heart-comforting wyne :
Good blood, quick spirits, travell sweet do'th cherish
And maks offensiue humors for to perish.
And wyse-men write that Colik, Gout, and Gravel,
The woefull fruits of rest, ar cur'd by travel :
Let not thy horses fatt, for standing Idle,
They 'll grow stiff neck'd, and disobey the brydle.

After enjoying the hospitalities of Kinnaird, and 'his pastyme at

[1] The Melrose Papers, vol. i. p. 290.

Monromont,' from the 22d to the 30th of May 1617, his Majesty went to Dundee, where he was welcomed with a fresh burst of poetry.[1]

After his elevation to the Peerage, Lord Carnegie continued to take an active part in public business. At the General Assembly which met at Aberdeen on 13th August 1616, he was appointed, along with Lord Binning, one of the assistants to John Earl of Montrose, the Royal Commissioner to the Assembly. Calderwood complains that this Assembly was not properly constituted. He says that a number of lords and barons 'decord' the Assembly with 'silks and sateins,' but without lawful commission to vote. He affirms that they spent four days in the transaction of business which might have been concluded in an hour. They 'drifted tyme,' he says, to make the Assembly weary. His account of the closing meeting is very amusing. A number of the ministry foreseeing what was to be proposed, and finding the Assembly made for the purpose, withdrew themselves before Saturday, and left the town, others removed in the meantime. All malcontents were suffered to depart. There rested nothing then but to ask at those who were present, 'What say ye, my lord? What say ye, laird? What say ye, Mr. Doctor?' It was answered, 'Well, my lord?' If any man pressed to speak unspeared at, the bishop wagged his finger, and that meant silence. The ministers whispered in the ears of one another, 'How 'can we either vote or speak here freely, having the King's guarde standing 'behind our backs?' They perceived themselves compassed with terror, and circumveened with policy. They looked only for Acts to be made against Papists, but they found that the chief purpose was to make Acts against Protestants and sincere professors.[2]

In the next General Assembly, which met at St. Andrews on 25th November 1617, Lord Carnegie, Lord Binning, and others were appointed Royal Commissioners in place of the Earl of Montrose, who, owing to indisposition, was prevented from attending.[3] The Five Articles, on which he had so much set his heart, King James expected would be agreed to in that

[1] The Muses' Welcome to King James on his return to Scotland in 1617, printed by Thomas Finlason, Edinburgh, 1618, folio, pp. 85-107.

[2] Calderwood's Church History, vol. vii. p. 227.

[3] *Ibid.* p. 284.

Assembly. But in this he was disappointed, as the Assembly put off the consideration of these Articles till another time. He was much displeased at this course, and it was reported that he would not permit another Assembly to meet. In the meantime he accomplished several of his ecclesiastical projects by proclamations, including the observance of the five holidays.

Thinking that he would obtain a sufficient number of ministers to vote for his favourite Five Articles, James, on the 3d of August 1618, summoned a General Assembly to meet at Perth on the 25th of that month. This Assembly is memorable, from having passed the Five Articles in dispute between the King and the Presbyterians, and also as the last which was held during the reign of James. To that Assembly Lord Carnegie was one of the three Royal Commissioners, the others having been Lords Binning and Scone; and their assessors were Sir Gideon Murray, Treasurer-Depute, Sir Andrew Ker of Fernihirst, Captain of the Guard, Sir William Oliphant, Lord Advocate, and Sir William Livingstone of Kilsyth. The three Commissioners and their assessors all voted for the famous Five Articles.

Calderwood reports the proceedings of the Assembly during the three days on which it sat. His account of the voting is somewhat lively. He says that before the roll was called, the King's letter was read again to the Assembly for the purpose of influencing the vote. The ministers who were against the Five Articles protested that none should vote but such as held lawful commissions. The Moderator however answered, that if all Scotland were present, they should vote.

To obtain votes in favour of the Five Articles zealous efforts appear to have been made. Such questions as these were addressed to the voters: 'Will ye accept or refuse the Five Articles?' 'Will ye consent to these 'Articles, or disobey the King?' The words chosen to distinguish the votes 'were, Agrie, Disagrie, *non liquet*.' The question proponed was affected with this strait condition, 'He that denies one denies all.' The Moderator certified them, that whosoever voted against the Articles, his name should be marked, and given up to his Majesty. He took the roll of the names in his own hand from the clerk. First were called the King's Commissioners and their assessors; then the noblemen, bishops, and barons; then the doctors and

ministers; and, last of all, the burgesses. The doctors' and ministers' names were called on without order, for he called first the names of those of whose consent he was assured, without respect to the order of province or Presbytery; as, for example, the Archdean of St. Andrews, and Mr. Patrick Galloway, a man of many pensiouns, when the ministers of the North were called on. In calling the names, he inculcated these and the like words, 'Have the King in your mind! Remember of the King! Look to the 'King!' Some wanting commissions, of whose assent the Court party were sure, were called. Others, whose negative they feared, were not allowed to vote.

The Five Articles were carried by a majority of votes. 1. Kneeling in the act of receiving the elements of bread and wine at Sacrament. 2. Five holy days: the days of Christ's Nativity, Passion, Resurrection, Ascension, and the Pentecost. 3. Episcopal confirmation. 4. Private baptism. 5. Private communion. The King's Commissioners, and their assessors, all the noblemen, except Ochiltrie, all the barons, except Naughtoun, who went home, all the doctors, except Dr. Strange, all the burgesses, and a number of the ministers voted *affirmative*, one nobleman, one doctor, and forty-five ministers voted *negative*, some few, *non liquet*. Doctor Lindsay, afterwards Bishop of Brechin, said that forty-one only refused, and four were *non liquet*.

The chief reasoners against the Articles in the conference, or in open Assembly, were Mr. William Scott, Mr. John Carmichael, Mr. John Wemyss, and Mr. Alexander Henrisone.[1]

Lord Carnegie was specially commended for having done faithful service in that Assembly by Lord Binning, the Secretary, in his letter to the King giving an account of the Assembly and its results.[2]

In the Parliament held at Edinburgh in July 1621, the Five Articles of Perth were ratified. Lord Carnegie was present in that Parliament, and he voted for the Articles for himself, and also as procurator for the Lords Cranstoun, Ramsay, and Kinclevin. For his services in that Parliament Lord Carnegie was again specially commended by Lord Binning in a letter to the King, dated 3d August 1621.[3] The result of the efforts of the King's

[1] Calderwood's History, vol. vii. pp. 331, 332.

[2] The Melrose Papers, vol. ii. p. *630.

[3] *Ibid.* p. 425.

party was that, in spite of the opposition of fifteen Lords of Parliament, and no fewer than fifty-four Commissioners from shires and burghs, the Articles were ratified at a short time after noon, under darkness so intense, and a storm of thunder and lightning so terrific, 'that the like had not beeu 'known in the memory of man.' The day was thence denominated the *Black Saturday.* The Presbyterians considered the extraordinary storm a direct proof of the displeasure of the Almighty at the proceedings of Parliament in ratifying the obnoxious Articles. The Episcopalians, with equal truth, regarded it as a visible token of the approbation of the Almighty, like the supernatural thunder and lightning at the giving of the Law on Sinai.[1] At this Parliament Lord Carnegie was chosen one of the Lords of Articles, and appointed a Commissioner for the planting of kirks and the abolition of hereditary jurisdictions.[2]

Lord Carnegie and his son-in-law, John, first Earl of Traquair, were frequently engaged together in public and private business.

They were joint managers of the business of the Duke of Lennox in Scotland. Lord Carnegie acted for Ludovick, the second Duke, until his death in 1624; for Esme, the third Duke, during the short time that he enjoyed the estates; and for James, the fourth Duke of Lennox.

On the death of Ludovick, second Duke of Lennox, on 16th February 1624, his brother Esme, as third Duke, addressed the following letter to Lord Carnegie:—

My very hartly commendationes remembred: The occasion of the sorrowfull newes of my Lord my late brother's deathe, hath giuen mee to just subject to require the assistance of my frendes. I need not to relate vnto yow how willing hee was to deserue the good opinion of those hee respected, and how desireous to requite it. As I ame neerest to him in blood, so shall I striue to come as neere to him in that as my abilitie will giue mee leaue. In the meane time, as hee was beholden to yow in his lifetime for your frendly aduyce and concurrence for directing his bussines there, so I most entreat that yow wold obleidge mee for the lyke courtesie. I know yow did affect him particularly for the affection yow caried to his persone; yet I

[1] Row's History of the Kirk of Scotland, Wodrow Society, p. 330; Calderwood's Church History, vol. vii. pp. 488-497, 505; Spottiswood's Church History, 4th edition, folio, p. 542.

[2] Acts of Parliament, vol. iv. pp. 531, 550.

assure my self yow beare also a respect to his howse; as I ame aire to the one, so shall I bee most willing to acquit my self of the particuler obligationes that from mee are due to yow, in confidence wherof I must requeast yow not to weary of the trouble yow tooke in his time, but that yow wold still continue to lend your aduyce in such bussines as then did concerne him, and now are fallen vpon mee; and wherein I can any way bee able to requit your kyndness, yow may bee assured euer to find mee

Your most loueing frende,

LENOX.

London, the 20 of Feb. 1623 [1624].[1]

Duke Esme had not time to carry into effect the good resolutions which he expresses in this interesting letter, having survived his brother only from February till July 1624. The following extracts from letters written by Lord Carnegie and Sir John Stewart during the period between the deaths of the second and third Dukes of Lennox will be read with considerable interest :—

SIR JOHN STEWART of Traquair to LORD CARNEGIE.

My verie honourable gud Lord: I came from Scotland upon Munday, as I resolvit vith zowr lordship; and upou the Freyday efter arryvid verie happyly hear at Lundon, soone be twelve houris. I hawe sein no body as zit, except Herry Erskyn, of quhom I can not learne soe much as I exspectid; zit be him I hear Sir George Elphiugstone is still vith my lord Duik, but quhat he hes done vith him he can tell uothing. He assuris me my lord Duik hes resolvid upon no settlid cours as zit, nather is uther vayes myndit quhill he hawe settlid all his busines hear in Ingland; quhilk as I hear are ather settlid zesterday, or are to be done this day. But, as ve hear, Sir George his court vith my auld lady Dutches is close changit; and if it vare not better vith my lord, nov Duik of Lenox, nor it is leik to be vith his lady, his court vald not be great; for as I hear, my lady is not veal content vith his proceidings; zit I hear he is still vith my lord, and is vsid in all his Scots busines. But hearof, as of no uther thing, I can vryt no certaintie as zit; but sumtym upon Munday, God villiug, I sall acquaint zowr lordship vith everie particulare, both of my awne proceidings and Sir Georgis. I mynd to sie my lord Duik tomorrow efternun, and that befor auy body knaw of my being hear; and therefter, as I hear of my lord's mynd, I mynd to cary my self to Sir George: for if efter

[1] Original Letter at Kinnaird. Spottiswoode records that Ludovick Duke of Richmond and Lennox died on 16th February 1624, to the great regret of all that knew him. He adds, that he was a nobleman of excellent parts, whose very aspect and countenance did promise much good.—[History, p. 546, 4th edition, folio.]

conference I find my lord inclyn to thos motions made to him be my lord March, I intend to requyr a resolute answer vithin such a tym, during the quhilk I intend to cary my self generally as a freind to Sir George, but to reveill nothing of my intentions to him: and if uthervays I find my lord absolutlie resolvid towards Sir George, I intend to wague as the busch wagues.

As concerning the tuo particulars zowr Lordship remembers in zowr Lordship's, the ane, to vit, zowr placis in the guard, howsoevir the uther busines tak effect, I intend to motiounc it vith Sir George his assistance; but I think zowr lordship sould doe veall to remember my lord Enzie therof, for I hear he hes a great hand in all thos busines. . . .

Pleas zowr lordship, I hear my uncle Valter is cummid home to Scotland. It may be that, be the assistance of sume of my unfreinds, he tak occasione now in my absence to trouble me anent the Tutorie of his brother's sonne, or sume of thos busines. My gift is zit still in Mr. Villiam Browne his hand; if zowr lordship find any danger, I knaw it vill be gottin from him quhenevir zowr lordship sall send for it; or if it be requisit, I am resolvid to tak a new ane hearof. Ther is no body I suspect (if Colingtowne kyth not), except my lady Lawderdaill, out of hir humor, tak occasione in my prejudice to vork my lord hir husband to mak sume bargauning vith him; but I hope zowr Lordship vill doe that ze think fittest, and be pleasid to acquaint me vith quhat is to be done in it, in cais zowr lordship find any appearance of danger. As for the Kirkland, I hawe my Lord Roxbruchis promise, and howsoevir I believe, I be assurid aneuch; and thuss in haist, having this occasione, I hawe thoucht gud to schaw zowr lordship of my hearcumming. Zowr lordship sall be assurid howsoevir thos busines vith my lord Duik tak effect, as zowr lordship sall direct in any thing quhatsumevir, I sall be verie cairfull to testifie that villingnes I am bund to schaw in any thing concernes zowr lordship directlie or indirectlie; and thus I rest zowr lordship's verie loving sonne to serve zow,

S^r J. S. Traquaire.

I sall schaw zowr lordship alsoe upon Tuysday, how the marquis takis vith me, and quhat I expect in thos businessis.

Lundone, this Setterday in the morning, the of Merch.[1]

From the Same to the Same.

My Verie Honourable gud Lord: Althoucht, in my last of the 25 of this instant, I schew zowr lordship at lenth of all my proceidings hear; zit having the occasione of this bearer, by my expectatione, I hawe thoucht gud schortlie to repeat that quhilk I vrot in my last. I hawe, evir since my cumming hear, hantid my lord Duik of Lennox much, and finds him soe kynd and forvard in any thing concernes

[1] Original Letter at Kinnaird.

myself, that not only hes he undertakin to doe my busines, but hes bein verie earnest vith me that no man sould be a speaker to His Majestie in any thing concernes me but he only; and is soe confident to get all done, that he hes protestid both particularlie to my self, as alsoe to Sir Robert Ker (quhom I use in all my busines), that in cais His Majestie sall not giwe vay to this his first suite for me, he sall nevir troubill him vith any thing coneernes himself. I hawe desyrid not only to be made a barron but alsoe a commissionar for the borders, quhilk is a thing can afford me small or no commoditie; zit it is sume kynd of credit, and vithall giwis me a occasione to keip thos my nechbours from the oppressione and intrusione of uthers, quho, throuch the iniquitie of this tym, preasis to incroch upon me more nor is reasonable, if all things vare richtlie considerid. I dare not assure zowr lordship of any thing, or that I am assurid now instantlie to doe any thing; but that my lord Duik is frank for me as I could vise, and profesis that, if he doe not carry my busines to my content, he thinkis it a tuicht to himself; and therupon hes desyrid me to stay quhill Munday nixt, betuixt and quhilk tym he is confident to resolve me of all. I find my Lord Register verie kynd; as alsoe my lord Stewart schawis himself verie villing to doe any thing for me, or any concernes zowr lordship as I doe. Panmure, in leik maner, hes bein vith me sundrie tyms, of quhom I exspect no lesse kyndnes then possibblie can be exspectid of a honest kynd freind. As for the busines I vas imployid into be my lady Mar, at first I fand my lord Duik as alsoe my lady verie villfullie set upon Sir George Elphingstone, and that they vald not be content to hear any thing that micht concerne that busines; zit since, they have both spokin me and eausid speak, desyring to be resolvid in sume particulars of Sir George quhairof, since my eumming hither, they hawe bein informid be sume of ther best freinds; the quhilk I hawe altogither refusid to meddle into. The prince has takin notice of the busines, and I hawe bein desyrid be sume quho pretendit they hade varrand from my lord, to late His Majestie understand therof; but I am not myndit to goe no farther quhill I hear from zowr lordship. I vill assure zowr lordship, Sir George is not soe assurid vith my lord as at first he vas, quhilk I sall mak knawin to zowr lordship befor it be long; and I knaw assuridlie it is in my power at this same instant to doe him harme; but, quhill I hear from zowr lordship, I sall soe cary myself to him as I hope he sall find hearefter, and that befor it be long. I micht hawe done more nor as zit I hawe done, or sall, in cais I hear not from zowr lordship befor my cumming home. Quhat hes bein Sir George his cariadge both to my self and to my defamit uncle, Sir Robert, zowr lordship vill knaw hearefter. As for particulars, I remit them to the next occasione. Ther is sume diffieulties leik to be in the bargan of Killmaronnok. Sir Johne is hear desyring to be made barron, but hes resolvid nothing with my lord Duik this day. As for zowr lordship's particulare I doe not think ther eould hawe bein a more fitting tym to hawe proponid it; for my lord thinkis himself soe tyid to zowr lordship, and finds zowr lordship may soe bestead him hearefter, that I doe not think but if that

busines vare richtlie proponid, it mieht easilie be effeetuat, and that rather now nor hearefter; for he hes a great desyr to hawe mueh land in Seotland and to mak himself great thair; but is so ignorant in all busines, espeeiallie in Scotland, that I think he may be persuadit to doe many things now, quhairin hearefter he may find sume doubts. He is fullie settlid vith my lord marquis zesterday; and thoueht it be not upou indifferent termes, zit, eonsidering the tym, there is none lovis him hear; but they think it his best. Immediatlie efter the agreament he send for me, and efter he hade sehawin me how mueh eontentment he had reeeavid of my lord marquise in his awne partieulars, he esteamid it not one of the least that assuranee he gate be my lord marquise of zowr lordship's vorth, and abilitie to doe him gud. Zowr lordship may doe quhat zow think best; but I vill assure zowr lordship, Sir George, if it vare not for zowr lordship's respeet, vald not be long in great eredit about the Duik; for he says opinlie now, that he vill use Sir George no farther nor ze vill be varrand for him, and that he vill hawe him to doe nothing of himself. I am resolvid to stay hear quhill the fyft or sixt of this nixt month, betuixt and quieh tym, if I hear from zowr lordship, I sall doe aeeordinglie; and if uthervays, I mynd to exoner myself at my lady Maris hands, be delyvering my eommissione in fair termes befor sume of my lord his freinds: but to toueh partieulars (as I am instantlie delt vith hear be sume Sir George reposis most into), I vill be no meanes, untill the tym I knaw farther of zowr lordship's mynd. As for my busines vith the prinee, Sir Robert Ker hes taken it upon him, and vill doe quhat ean be done. I hope zowr lordship vill remember to eaus sume look to my vnele Valter his doings, and that he vork nothing to my prejudiee now in my absenee: and soe begging zowr lordship's pardon for this my informall diseours, I rest zour lordship's loving sonne to serue zow, Sr J. S. Traquaire.

London, the penult of Mareh.

I kuaw Sir George vill informe zowr Lordship of all partieulars of my Lord Duikis affairs, as alsoe of oeeurreneis hear.[1]

From David Lord Carnegie.

Sir,

My Lord Gleneairne and my lady ar verie ernest to have the laird of Buehannan younger preferred to the bargaue of Kilmarannoeh, in respeet of the matehe iutendit betuix him and my ladyes doehter. Thair is offer maid of greater eonditiounis iu young Buehannanis name than any other sall give; zit John Cunynghame hes promised to me solemnelie that his Graee sall be preferred, and hes appointed Tuysday nixt to give his resolute ansuer. The large offeiris maid in Buehanuauis name makis greater diffieultie in this busines nor vtherwyse wald have beine; bot I sall follow the best course I ean to give his Graee satisfaetioun, and to

[1] Original Letter at Kinnaird.

mak the bargane sure be writt, on Tuysday nixt, giff it be possibill. James Stewartis band will be gnid aneneh payment to Walter Diek against Witsondy. Albeit Walter Diek will nawyse redelyver my lord Niddisdaillis band. Thairfoir advertise gif I sall give Walter Diek suirtie for his moneyis, to the effeet my lord Niddisdaillis band may be sent vp, and my lord dnke's infeftment exped. I am als earefnll to get snm ordonr with Alexander Wemys as is possibill, bot I despair to enm speid; for qnhen I erave moneyis from him, he desyris his eomptis to be hard, and allegis that, gif his eomptis wer endit, the dnke's graee will be in his dett. Assure his ğraee that albeit the originall rieht of Methven from His Majestie eontenis ane taillie and a' retnrne to the eronne, zit Sir Johne's infeftment will be valide, in respeet his graee was fear qnhen he disponit the lordsehip to Sir Johne, and that the Kingis Majestie has eonfirmed this infeftment. Nixt, my lord dnke's graee being servit aire to his late deeeissit brother, he will be oblist of law in warrandiee of that infeftment. Traqnair forget to leive his key of his graee's ehartoure kist behind him; qnhairby we ar debarred from aeees to his Graee's writtis. Thairfoir giff Traquair be not eum away (as I think he is), caus him send donn snm direetionn quhair his key will be gottin. Pryees of eornis ar so fallin heir, that hardlie will twelff merkis be gottin for beir, and nyne merkis for meill in St. Androis; and gif the fall eontinew, as thair is verie great appeiranee thairof, in respeet of the extraordinar qnantitie and number of forraine cornis laitlie eum in, thair will be no silver for vietuall. I wald have writtin to Traquair, bot I am crediblie informed that he is vponn his journey hame. So to the nixt oeeasionn wishing yow, with the ineres of all trew happines, prosperons retnrne, I rest yonr most affeetionate freind to serve yow, CARNEGY.

Edinbnrgh, the 26th of Marehe, 1624.

I send vp a paequet of lettres to yon with Mr. John Hay, and thairin snm lettres to my lord Registre, whieh, as I am informit, he reeeaved not thrie dayes eftir Mr. Johne his enmming to Londoun. Try this mislnek, for I got preindiee thairby.

Giff his Graee setle with Sir John Stewart thair, have a eaire that Sire Johne be oblist to do nothing in preiudiee of the taillie; and that the lordsehip retnrne to his Graee, failzeing of airis maill lawfullie to be gottin of Sir Johne his awin body.[1]

During the remainder of the reign of King James VI., Lord Carnegie continued to occupy his seat on the Bench. On the death of James in 1625, when many of the Officers of State in Scotland repaired to London to

[1] Old Copy Letter at Kinnaird. James Duke of Lennox, as Great Admiral of Scotland, granted to David Earl of Southesk a commission to be Admiral-Depute during his lifetime, within the bounds, ports, creeks, and harbours of the baronies of Panbryde, Vllishaven, and lands of Ferryden, Craig, and Inchebrayock, and burgh of Arbroath. Dated 1st July 1641.—[Original Commission at Kinnaird.]

attend the funeral of the King, Lord Carnegie was appointed to preside in Council and Session during their absence, by the following Act, dated at Edinburgh, 21st April 1625 :—

Forsamekle as Sir George Hay of Kinfawins, Knight, Lord heigh Chancellour of this Kingdome, and Thomas Earle of Melros, president of the Counsaill, ar writtin for be his Maiestie to repair to Court for some speciall occasionis of his Maiesties affairis and service, and seing, dureing the tyme of thair absence, the necessitie of the affairis of this estate in the course of Justice requiris that choise salbe maid of some discreit and qualifiet persone to preseid in Counsaill and Session vntill the returne of the saids Lordis Chancellour and president, or of ane or other of thame: Thairfore the saidis Lordis all in ane voice nominat, electit, and maid choise of David Lord Carnegie to supplie the said place and charge, with power to him to convene the Counsaill at all occasionis and in suche places as he sall think meete for the weele of his Maiesties service and quiet of this country, and generallie to doe all other things in Counsaill and Sessioun whilks the Lords Chancellour and President, or ather of thame being present, might haif done : Like as the said Lord Carnegie, being personallie present, acceptit the charge vpoun him, and promeist to discharge the same dewtifullie according to his knawledge : Like as the saidis Lordis promeist to give all dew respect and concurrence to the said Lord Carnegie in the executioun of this charge, and to convene and meet with him at all tymes and occasions as they sall be required be his missive letters or otherwayes.[1]

Owing to a change introduced by Charles I., on his succession, to the effect that no Lord of Session should at the same time be a member of the Privy Council, the Chancellor alone excepted, Lord Carnegie resigned his seat on the Bench, along with seven other Judges, including the Earl of Melrose, President, and Sir George Elphinstone, Justice-Clerk. A few months after, the King transmitted to the Lord Chancellor presentations in favour of the Earl of Lauderdale and Lord Carnegie and two others to be four of the Extraordinary Lords of Session, but Lord Carnegie and Lauderdale both declined the honour.[2]

Lord Carnegie was much employed in the Committees of Parliament, and also in Commissions appointed by Parliament.

In a Convention of the Estates held at Edinburgh on 25th January 1621, on the motion of the Lord Chancellor, he, along with several others, who were considered to be persons of greatest judgment and experience, was

[1] Records of the Privy Council, Acta. [2] Balfour's Annals, vol. ii. pp. 116, 129, 130.

appointed to advise upon the best and readiest means of appeasing his Majesty in reference to three letters from him.[1]

In the same year Lord Carnegie was again nominated one of the Commissioners for the Plantation of Kirks; also one of those for regulating the taxt roll within the sheriffdome of Kincardine; and likewise one of those for modifying bleuch duties and ministers' stipends in the erected prelacies.[2]

In a Convention of Estates held at Edinburgh on 2d November 1625, an Act was passed anent the raising of the prices of the 'Coyne.' The Estates found that this was a matter which required much and careful deliberation, and which could not be summarily digested at that meeting. They therefore nominated several of their number, among whom were three earls and several lords, including Lord Carnegie, or any four of them for the nobility, to meet and commune with His Majesty's Council on the last Council day of February in reference to the advantages and expediency of raising the price of the coin, to the intent that a report might be made of their opinions to His Majesty.[3]

In another Convention, held at Holyrood House on 3d August 1630, Lord Carnegie was nominated one of the Commissioners on the Laws.[4] His Lordship was reappointed a Commissioner on the Laws in a Parliament held at Edinburgh 28th June 1633.[5]

In the Parliament held at Edinburgh on 31st August 1639, the Earl of Traquair, as the King's Commissioner, nominated the Earl of Southesk, and other seven noblemen, to be upon the Articles for the nobility. The Earl of Argyll, although he was one of the Lords of the Articles then nominated, protested against their nomination by the King's Commissioner, and maintained that the several Estates of Parliament should elect those who were to be upon the Articles.[6]

On the 8th of October, in the same Parliament, after a long debate 'anent the broken men,' and for settling the peace of the country, the Earl of Southesk and the Lord Advocate were appointed by the Lords of the Articles to consider the differences betwixt the Acts, and to draw up an Act for the consideration of the Commissioner.[7]

[1] Acts of Parliament, vol. iv. pp. 589, 590.
[2] *Ibid.* pp. 606, 630, 631.
[3] Acts of Parliament, vol. v. p. 184.
[4] *Ibid.* p. 225.
[5] *Ibid.* p. 47.
[6] *Ibid.* p. 250.
[7] *Ibid.* p. 275.

In the same and in subsequent Parliaments of King Charles I., the name of the Earl of Southesk occurs very frequently in Acts for the transaction of important business, showing that he was one of the most able and active of the members of the Scottish Parliament.

In the beginning of the year 1631, Lord Carnegie was one of the Commissioners appointed to proceed to Frendraught to inquire into the origin of the mysterious and melancholy fire which had destroyed the tower of that place on the night of the 8th of October 1630, and in which the Viscount of Aboyne, son of the Marquis of Huntly, John Gordon of Rothiemay, and many of their retainers miserably perished. These gentlemen had escorted Crichton of Frendraught from the Bog, now Gordon Castle, to his own house, lest he should be waylaid by Leslie of Pitcaple, who, for the injuries which had been inflicted on his son when in the company of Crichton, had vowed vengeance against Crichton. Nothing was seen of Leslie by the way, and the party arrived safely at Frendraught in the evening. Their mission thus over, Aboyne and Gordon, with their friends and attendants, wished to return at once to the Bog, but Crichton and his lady pressed them to stay all night, and they agreed to do so. After supping merrily, they retired to the chambers allotted to them, all of which were in the round tower of the mansion, and all directly above one another. During the night the tower was burned down, and Aboyne, Gordon, and almost all their friends and retainers perished in the flames, Frendraught and his lady and servants, as the report went, quietly looking on, without attempting to render any assistance to their perishing guests. On learning the sad event, the Marquis of Huntly proceeded to Edinburgh, and laid the case before the Lords of Council, who appointed Lord Carnegie, the Bishops of Aberdeen and Moray, and Crowner Bruce to go to Frendraught, and endeavour to ascertain how the fire occurred. They met at Frendraught on the 13th April 1631, along with Lord Gordon, Lord Ogilvie, and Lord Deskford, and several barons, and, after minute inspection and careful examination, unanimously came to the conclusion that the fire could not have been raised without the house except by engine of war, nor within the house by accident, but that it must have been on purpose raised by men's hands within the vaults or chambers of the tower. The cause of

this terrible tragedy was never properly cleared up. Many witnesses were examined on the subject; many persons were accused and tried; and one John Meldrum was convicted of being a party to it, from malice on account of wrongs which he had suffered in Crichton's service. He knew the house well, and set fire to the tower, it was supposed, in the belief that Frendraught himself slept in it, as being the strongest part of the house. The Crichtons, however, were themselves strongly suspected of being the real perpetrators of the foul deed; and the popular feelings of the time on the subject have been graphically depicted in song.[1]

At the coronation of Charles I., in the Abbey Church of Holyrood, on the 18th of June 1633, Lord Carnegie was created Earl of Southesk. The Patent is dated at Holyrood House, the 22d June 1633, and bears that, the King considering that the late Sir Robert Carnegie of Kinnaird, Knight, had with the most laudable zeal performed many good and excellent services to his grandmother, Queen Mary, and his great-grandmother, of lasting memory, partly by transacting the highest and most important affairs of the ancient kingdom of Scotland, and partly by proceeding, at their command, on embassies to England and France; and that the late David Carnegie of Colluthie, son of the said late Sir Robert, diligently imitating the praiseworthy example of his father, had spent many years with much zeal and energy in the affairs of King James VI. and in those of Scotland; and lastly, that the King's very dear cousin and counsellour David Lord Carnegie of Kinnaird, following the footsteps of his father, has for many years with the greatest zeal not only rendered distinguished services to the King, and to his father, King James VI., in the Privy Council, Session, and Exchequer, but also in all councils and public conventions and meetings of the Estates and Parliaments, and has shown his singular pru-

[1] Spalding's Memorials of the Troubles in Scotland and England, Spalding Club edition, vol. i. pp. 16-18, 24, etc.; also Appendix, pp. 381, *et seq.*, 409, etc. Motherwell's Minstrelsy, p. 167.

Mr. Andrew Ramsay, one of the ministers of Edinburgh, dedicated his 'Miscellanea et Epigrammata Sacra' to David Lord Carnegie. The work was published at Edinburgh in 1633, and the Dedication is given in the Appendix. Mr. Ramsay applied to the Earl for the dignity of a bishopric, and, being disappointed, he strongly opposed the Service Book. Lord Southesk twitted him on his inconsistency. — [Gordon's History of Scots Affairs, vol. i. pp. 17, 18, notes.]

dence and diligent zeal and affection towards them; therefore his Majesty makes and creates David Lord Carnegie of Kinnaird, Earl of Southesk, Lord Carnegie of Kinnaird and Leuchars, to be held by him and his heirs-male for ever.[1]

As the Earl of Southesk had had great experience in ecclesiastical business in the reign of James VI., he was induced to take part in the ecclesiastical questions which agitated Scotland during the reign of King Charles I. But his loyalty to the King, and his love to his country, led him to take the part of mediator between the contending factions. He endeavoured to bring about an arrangement between the Presbyterian ministers and the bishops regarding the Service Book; and for this purpose he offered to procure a conference between the contending parties. Mr. Alexander Henderson, who was the Earl's own minister in his parish of Leuchars, and other leading Presbyterians, wished a meeting that they might explain their objections to the Liturgy. Lord Southesk and the Earls of Roxburgh and Traquair intimated this to the Archbishop of St. Andrews, and indicated that such a meeting might be productive of much good, as tending to a final arrangement. The bishops objected that it was not meet to submit their authority to the Presbyterian ministers, or to dispute about the Liturgy, as it had already been ratified by the King. But, at the same

[1] Original Patent at Kinnaird. The Southesk River, from which the title was taken, has its rise in the Grampian Mountains, in the parish of Clova and county of Forfar. In its course towards the sea at Montrose, the Southesk flows through the barony and near to the Castle of Kinnaird. About Kinnaird, the river, with its wooded banks and winding walks, is very beautiful. The first Earl was no doubt induced to adopt the name of this fine river as his title, from his being proprietor of the most valuable portions of it.

His brother, John Earl of Ethie, afterwards followed his example, and got his title changed to Northesk, a name taken from another beautiful river which also has its source in the Grampian Mountains, in the parish of Lochlee, and joins the German Ocean about two miles to the north of the town of Montrose.

Thomas Kirkwood, goldsmith, burgess of Edinburgh, was employed by Sir John Carnegie of Pitarrow, Knight, son of David Earl of Southesk, and Sir Alexander Carnegie of Balnamoone, brother to the said Earl, to make to the Earl 'ane croun of siluer gilt 'with gold and enamellat for the said noble 'Earle his awine vse, togither with aucht 'cogniscances for his four allacayes all of 'siluer gilt and enamellat as said is to have 'bene worne be thame respectiue the tyme 'of his Majesties coronatioun at the lait Par-'liament' in 1633.—[Original Discharge at Kinnaird, dated 3d March 1634.]

time, they were willing, for the sake of peace, to hold a conference, provided the King's sanction was obtained. Henderson and the other ministers, however, did not like the terms on which the bishops agreed to meet them, refused the conference, and called for a General Synod.[1]

When Henderson and several other ministers petitioned the Privy Council, on 23d August 1637, for a suspension of the charge which they had received, to use the Service Book, several noblemen, including Lord Southesk, supported the petitions. The Chancellor, Spottiswood, treated the petitioners and their supporters very lightly; and he asked, 'What neidit all that sturr?' The Earl of Southesk replied, with proper spirit, that if all their pockets were 'weill riped' (searched), it would be found that a great many of the best of the country resented these matters.[2]

Lord Southesk and his son Lord Carnegie continued to oppose the introduction of the Service Book; and many months were occupied in meetings and supplications against it.[3] At a meeting between the Earl of Southesk and the Treasurer Traquair on the 8th of December, at night, they sent for the Earl of Rothes. Traquair spoke freely of his dislike to the Service Book, and declared that he would rather lay down his white staff than practise it; and he vowed that he would rather 'bleed' himself than that any of them should lose life or blood.[4] But, at the same time, he declared to Lord Southesk that the King's authority must be vindicated, by the magistrates of the town of Edinburgh delivering the keys of the town and the charter of its liberties to the King, and by six Commissioners from the town prostrating themselves publicly before the King, two several days, on his way to Whitehall Chapel. Upon the third day, the Scottish Councillors who were at Court were also to prostrate themselves along with these Commissioners, when the King would pardon them, and re-deliver to them the keys and charter of the town.[5]

Traquair went to Court in January. In his journey to London he was almost drowned. He came out of a water, the name of which is not given

[1] History of the Troubles by Robert Monteith (of Salmonet), p. 69. Gordon's History of Scots Affairs, Spalding Club edition, 1841, vol. i. pp. 18, 19.

[2] Relation of the Affairs of the Kirk. By John Earl of Rothes. Bannatyne Club, 1830, p. 7.

[3] *Ibid.* p. 32.

[4] *Ibid.* p. 43.

[5] *Ibid.* pp. 43, 44.

by our authority, hanging by the tail of his horse.[1] While at Court, he was ordered to return to Scotland with a royal proclamation imposing the Service Book. This proclamation was appointed to be made at Stirling, on the 19th of February, by Traquair and the Keeper of the Privy Seal. Although they were mounted by two o'clock in the morning, and were at Stirling by eight o'clock, they were outridden by the Earl of Home, Lord Lindsay, and others, who were present, and protested against the proclamation, in their own names, and in name of many others of all ranks and classes of society; but it was, notwithstanding, approved of, in the afternoon of the same day, by the Council by a large majority. It was thought at the time that Lords Southesk, Lorne, Lauderdale, and Wigton, would be put out of the Council for dissenting; but no attempt was made to expel them.[2]

It appears from a letter from Traquair to the King, that the former recommended at this time some modification of the Service Book. The following is Traquair's representation of the matter to His Majesty in February 1638:—

If your Majestie sall not be pleased to giue ane ansuer to the petitiounes and declaratiounes given into the consill against the Seruiee book, and laet eanones of the Chureh, nayther zit mak any mentioune of your Majestie's intentioune to try and examine the alleadgeances agaiust the same, quhich hes bein the caus and beginning of all that is past, and of all thir convocatiounes and subscryuing of petitiounes, &c., that the eaus not being removed the effeet will not eeas, and so religion, and fear of innovatioune in the materiall and substantiall heades aud grundes therof, being pretended to be the eaus of all that is past, the peaee and quyet of the kingdome, and of his Majestie's gouernment, may still be disturbed.

If your Majestie sall proeead to the tryall and punisehment of the aforsaides persounes, it is probable that all quho haue a hand in this busines, or dois disleik the seruice book, will appreheud that this cours is taken uot only for punisehing and ceusuring of byganes, but for makiug of leading eaises against thes quho at any tym heirefter sall offer to oppose the serviee book, in caes his Majestie sall be pleased to urge the praetiee therof, and so for fear of the last will studie be all meanes to prevean the uther: And, therfor, it is to be considered that, sinee religion is the pretended caus of all, and that nothiug is so readie a mean for the mutinie of people as quhen they eonceave themselfes tooched in that poynt, evin many tymes, altho'

[1] Relation of the Affairs of the Kirk. By John Earl of Rothes. Bannatyne Club, 1830, p. 7.

[2] *Ibid.* p. 63. Baillie's Letters and Journals, vol. i. pp. 50, 92.

ther opiniones be erronious, it is wyslie to be considered, I say, how far the urging or pressing of the aforsaid course may indanger the peace and tranquilitie of his Majestie's government, within that his Majestie's ancient Kingdome.

And if, notwithstanding heirof, his Majestie sall be pleased to command the prosecutioune of the aforsayd cours, his Majestie may be pleased to consider, that if his Majestie's advocat, and uther advocats sall find that in law they can not be overeached, at least in so highe a measure as to bring the liberteis of the toune of Edinbrughe, the lyfes and fortunes of thes uthres in his Majestie's reuerence, quhat sall be done in this caes.

And in caes, if out of fear or apprehension forsaid, people sall be so made as to ryse, or combyn, for opposing of the aforsaides courses, quhat sall be done in that cais.

TRAQUAIRE.[1]

During the negotiations connected with the supplications for the suspension of the Service Book, in the years 1637 and 1638, the Treasurer Traquair mediated between the King and the supplicants. He then resided at the Castle of Dalkeith, where the conferences between him and Rothes, and the other leading Covenanters, took place. The meetings of the Privy Council at that time were also frequently held at Dalkeith.

While at the Castle of Dalkeith, Traquair conveyed thither sixty large barrels of powder, with many chests of pikes and muskets. This was done in consequence of the rumour of a meditated attack by the Covenanters. The Tables afterwards refused to go to Dalkeith to meet the Marquis of Hamilton as Commissioner, ostensibly on the ground of a surmise that this ammunition would be used for their destruction. Traquair, however, cleared himself on oath, that this surmise had no foundation in truth. Dalkeith was one of the castles which were seized by the Covenanters when they began their first armed campaign against the King.

It is generally, but incorrectly, believed that the Castle of Dalkeith had belonged uninterruptedly to the Earls of Morton until it was sold by William Earl of Morton to Francis second Earl of Buccleuch in 1642; and that Traquair and the other leading Officers of State who occupied Dalkeith in 1637 and 1638, did so as the friends of Morton, who was an active Royalist. Dalkeith then belonged to King Charles I., who, wishing to have another royal residence in Scotland, as well as to assist Morton,

[1] Original at Traquair, apparently holograph of Lord Traquair.

who had become embarrassed in his service, purchased Dalkeith from him in 1637. Traquair, as Treasurer, occupied the castle under the King, who, after being owner for about four years, was unable, owing to the troubles of the times, either to carry out his idea of making Dalkeith a royal residence, or even to pay the price. By a new arrangement, the King, in 1641, reconveyed Dalkeith to Morton, who, in the following year, sold it to the Earl of Buccleuch, with whose descendants it has since continued, although during Cromwell's rule in Scotland his officers took forcible possession of the castle and parks, against the remonstrances of the young Countess of Buccleuch.[1]

When the Marquis of Hamilton was nominated Royal Commissioner to the General Assembly appointed to be held at Glasgow in 1638, the Earl of Southesk was called upon to act as mediator between him and the Covenanters regarding the 'Castle Watch,' or the 'Black Watch,' as it was called. This was a guard set upon the Castle of Edinburgh by the Covenanters to prevent the garrison from receiving a larger supply of provisions and munitions of war than was necessary for their own use, lest the fortress should be used as a means of overawing the town, and compelling the adoption of the Service Book, and submission to the other measures contemplated by the King and the Bishops. Hamilton considered that the placing of this watch was unconstitutional and rebellious, and he refused to leave the Castle of Dalkeith, which he occupied, and to enter Holyrood, till it was removed. The Covenanters agreed to withdraw the watch, on condition that the 'Intercomuners,' Southesk and Haddington, should pledge themselves that, in the meantime, no supplies or munitions of war should be put into the castle.[2] This difficulty being thus settled, Hamilton endeavoured further to conciliate the Covenanters by urging the King to restore the sittings of the Courts of Justice to Edinburgh. He succeeded, and the name of the Earl of Southesk is appended to the Council's letter of thanks to his Majesty for this

[1] Earl Rothes' Relation, pp. 34, 36, 38, 50, *et seq.* Petition of Mary Countess of Buccleuch and her Tutors to the Committee of Claims, 1654, at Dalkeith.

[2] Baillie's Letters and Journals, vol. i. pp. 80-82. Lord Southesk reported to one of the meetings about this business that the Watch at the castle had 'ryped' my Lady Marquis's trunks, and made some debate with the keepers of the gates, alleging it was a breach.—[Rothes' Relation, p. 163.]

favour.[1] Lord Southesk, whilst ever ready to express his gratitude to his Sovereign for measures taken by him for the benefit of his country, did not hesitate to express his disapprobation when these measures seemed to encroach on the civil and religious liberties of the subject. Accordingly, when Hamilton issued, as a Royal Proclamation, a document evidently drawn up by himself and the Bishops, after he had heard Balcanquhall preach at Tranent on the previous Sunday, and when, by his dexterous policy, he had got all the rest of the Council to sign an Act approving of this proclamation, Lords Southesk and Lorne refused to adhibit their names.[2]

The good services of Lord Southesk as a mediator were employed between the Marquis and the Covenanters regarding the calling of the approaching General Assembly. It was considered by the leading men of the Covenant that the Commissioner's prelimitations with respect to the choosing of the members were inconsistent with a free Assembly; and when he would not sanction their proposed mode of procedure, many of them wished to hold an Assembly without the Commissioner. This proposition was at first unanimously rejected, and all delay refused. But 'thereafter,' says Baillie, 'his Grace came near us shewing by Lorne and Southesk that he 'found out, upon farther information that our answer was according to our 'lawes, which before he knew not, but now having found it, he was hopeful 'so to represent it to the King, that he might obtain by ane other voyage, 'the indiction of ane Assemblie as free as we could wish.'[3] The result was that the delay craved was granted, an immediate outbreak prevented, and reasonable hopes of a free Assembly, and of a final amicable arrangement between the King and the Covenanters for the time restored.

When just before the meeting of the Assembly, the Privy Council appointed, on 24th September 1638, Commissioners to procure signatures to the King's Covenant, the Earl of Southesk adhered to it, and refused to sign the Covenanters' Covenant,[4] to which many persons solicited signatures in opposition to the rival Covenant. A letter from Hamilton to Argyll alludes

[1] Balfour's Annals, vol. ii. p. 274. Gordon's History of Scots Affairs, vol. i. p. 73.

[2] Stevenson's Church History, p. 235. Baillie's Letters and Journals, vol. i. p. 92.

[3] Baillie's Letters and Journals, vol. i. p. 100.

[4] Gordon's History of Scots Affairs, vol. i. pp. 108, 109.

to the success of Southesk in obtaining signatures to the King's Covenant in Angus. The letter, which is holograph of Hamilton, is in the following terms :—

My Lord,—I have reseved your Lordship's of the 16th of October. Your indeuoores heath still the uisshed sucses, as I find both by itt, and the inclosed letter. Your Lordship will be plesed to lett him knoe thatt I haue acquented his Majestti with thir treu intentiounes to serfe hes Soucran, frome uhome he may expeetk thatt resentiment uhich he deserueth.

The people in thir partes ar still made, and continoues in the same coursis they uer in, and laboores by all meines to hinder subscription to the King's Covenant (as they call itt). Uith most they preuall; yett in Clidsdall ue haue had rasonabill sucses. Kennoull in Pearth shyre, and Soueathask in Angus, heath had sume succses lykuys. I have not as yett had ane accontt returned frome anie other.

I ame sorie to heire thatt thoes uho ar ueill affected ministers in the north to his Majestti's seruis, is unuilling to cume to this assemblie. I beshich your Lordship yuse yowr best meaines to persuad them to cume; and for their saftie in Glascou, I shall ingadge myself, assuring your Lordship thatt if anie of theme suffer, I shall to. And as for ther Chargis, itt shall be borne by his Majestti frome the uerie first day of ther setting souuth till ther returne.

Now, my Lord, giue me leaiue to tell you thatt itt is his Majesttis plesour thatt his Majesttis consall shall be att this assemblie, your Lordship onlie exsepted, and sume few otheres. The treuth is he will not consent, nor is itt fitt your Lordship should be out of the noorth till we sea how this assemblie ends, which I ame most confiden of will nott be weill.

I shall not faill to giue your Lordship frequent aduertisment if anie thing of importance occure.

My Lord Bishop of Ross heath beine att Court, and now is upone his returne hidder: his erent uas to knoe how my Lords of the clargie should carie themself att this assemblie. I belife both the Chanseller and he will be heir with in feu dayes.

Quiue mother is landdett this day forneitt att Haruich, and so all the preparations thatt was mead for hir att Dover is lost, wher the Duike of Lennox was apoynted to reseaue hir. Bot glad she was of cumming to land, for att sea she had indured a mightie storme.

I heaue no other neyues, nor more to say for the present, bot thatt I ame your Lordship's most humbill seruantt and cousing,

J. Hamilton.[1]

Holyrudhous, 25 Octob. 1638.

[1] Original Letter in the Argyll Charter-chest. The address is torn off; but as the letter was found with others addressed to the Earl of Argyll, there is no doubt that it was addressed to him. He succeeded to his title about that date.

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When the famous Assembly at last met on 21st November 1638, Lord Southesk attended in his place, and took an active share in its discussions. He and the Earls of Traquair, Roxburgh, Argyle, and Lauderdale, with Sir Lewis Stewart, Advocate, acted as assessors to the Commissioner. At the commencement of the sittings a question arose as to the right of assessors to vote, which was ultimately decided in the negative. It was held that their duty was simply to aid the Commissioner with their advice, but not to take any individual part in the deliberations of the Assembly, as that would involve a principle by which the King, by augmenting the number of assessors, might at any time swamp the freedom of the Assembly, or overturn its constitution.[1] But although thus deprived of a vote in the Assembly, Lord Southesk was involved in its controversies. Another preliminary question, in addition to that concerning the rights of the assessors, was the validity of commissions, many of which were objected to. Amongst others was that of James Lord Carnegie, eldest son of the Earl of Southesk, who, with Erskine Laird of Dun, had been chosen ruling elder for the Presbytery of Brechin. Their commissions were duly presented in the Assembly. Erskine was chosen by only one minister, and a few ruling elders, whilst Lord Carnegie was elected by all the other ministers and elders. His Lordship's election, therefore, appeared to be perfectly valid, he having a large majority of votes. But his Commission was violently opposed by many, and especially by his brother-in-law, the Earl of Montrose, who was then a keen Covenanter. In the course of the discussion, the remarkable fact was disclosed that the validity of Erskine's Commission, and the unlawfulness of Lord Carnegie's, were held to be manifest from the fact that the former was in accordance with the directions of the Tables at Edinburgh, whilst the latter was not. This approval by the Tables of Erskine's Commission was attested by a written declaration indorsed on it, signed by Montrose and other members of the Tables. This discovery gave rise to an animated discussion. The approval of the Tables, of course, was everything with the Covenanting portion of the Assembly, but the other portion contended that the election of members on such principles, and the settling of disputes in such a manner, were altogether inconsistent with the rights and privileges of a free Assem-

[1] Baillie's Letters and Journals, vol. i. p. 27.

bly. 'Montross,' says Gordon, 'disputed for Dunn, and by eighty persones 'attested Dunne's election. Southesk disputed for Carnegie, his son, with 'whom the commissioner, in Carnegie's absence, took pairt; but the Assem- 'bly sided with Dunn. The sture grew so hot, that the moderator wished 'both the Commissions to have been annulled before such noise should have 'been. To this did Southesk answer sharplie. The moderator replied that 'he had been his minister twenty-four years,[1] yet had never wronged him. 'Loudon then said that no lord ought to upbraid a moderator; and then 'Southesk excused himself, and qualified his own words.' 'The contest 'betuixt Montross and Southeske,' adds the same author, 'grew so hotte 'that it terrifyed the whole assembly, so that the commissioner took upon 'him the moderator's place, and commanded them all to peace.'[2]

When, at last, the Commissioner felt it to be his duty to leave the Assembly, in consequence of the course it pursued with regard to the bishops, he immediately summoned a meeting of Council to deliberate as to his future proceedings. The Earl of Southesk attended the meeting, as indeed did all the Council, except Argyll, who declined, and Lord Almond, who was sick. The Council unanimously resolved to write to the King, thanking him for the gracious overtures he had made to them, and at the same time to draw up a proclamation dissolving the Assembly, and promising protection to all who should incur danger by disobeying its acts. The Earl of Southesk, with the rest of the Council present, signed both the letter of thanks to the King, and the proclamation dissolving the Assembly.[3]

[1] Alexander Henderson was then, and had been for about twenty-four years, minister of Leuchars parish, belonging to Lord Southesk, but by this same Assembly he was translated to Edinburgh much against his own inclination, being, as he said, too old a plant to take root in another soil. The sharp encounter referred to in the text, did not alienate the heart of Henderson from the Carnegies. In his latter will, made on 17th August 1646, eight years after this affray in the Assembly, Henderson left to Lady Carnegie a piece of gold and £3 sterling. She was probably the wife of James Lord Carnegie, whose Commission he opposed, and the daughter-in-law of Lord Southesk, with whom he waxed so hot.—[The Life and Times of Alexander Henderson. By the Rev. John Aiton. Edinburgh, 1836, p. 663.]

[2] Gordon's History of Scots Affairs, vol. i. pp. 151-153. Baillie's Letters and Journals, vol. i. p. 132.

[3] Gordon's History of Scots Affairs, vol. ii. pp. 26, 27. Impartial Collection of the Great Affairs of State. By John Nalson, LL.D. fol. London, S. Mearne, etc., 1682, vol. i. pp. 121, 122.

Lord Carnegie voted against continuing the sittings of the Assembly after the Commissioner had left it, and Sir John Carnegie of Ethie, younger brother of Lord Southesk, gave a similar vote, which shows the loyalty of the Carnegie family, and the honest and prudent position which they had already taken up with regard to the Covenant, the prerogative of the Crown, and the civil and religious liberties of the subject.

Soon after the Assembly, the Earl of Southesk sustained another personal encounter with his son-in-law, Montrose. There were many stern royalists in the north, who would not willingly submit to the leaders of the Covenant. The Marquis of Huntly and the city of Aberdeen still held out for the King, and the Earl of Montrose was appointed to proceed to the north to compel them to submit to the Tables. In his progress northward, accompanied by the Earl of Kinghorn, his brother, Lyon of Auldbar, and other Covenanters, Montrose arrived at Forfar on the 1st of February 1639, and in accordance with the directions of the Tables, he forthwith held a meeting of committee in the Tolbooth of Forfar. He was met and opposed by his father-in-law, Lord Southesk, by Lord Ogilvie of Airlie, the Master of Spynie, the Constable of Dundee, and other cavaliers, all of whom refused to sign the Covenant and to abjure Episcopacy as unlawful, as ordered by the Tables. Montrose then proceeded to stent the landholders of the county to provide the sinews of war, on which he was again met by his father-in-law with the important question, 'My Lord of Mon-'trose, by what authority do you thus stent the lieges of the King?' He answered, 'By a warrant from the Tables at Edinburgh, a warrant which 'requires you, my Lord, and all who are here, to have your vassals armed 'and in readiness to concur with our cause.' 'We are the King's men,' replied the Earl of Southesk, 'and his friends, subject to no Tables, and 'neither shall our lands be stented, nor our vassals armed, but for the 'King's service, and by his express command.' On this the Earl of Southesk and the other royalists left the meeting, and retired to concert measures for the defence of themselves and their friends.[1] Soon after, on 12th April 1639, Lord Southesk and his nephew, David Carnegie, younger of Ethie, set out for Court, no doubt with the laudable intention of endeavouring to

[1] Mr. Napier's Life of Montrose, vol. i. p. 165.

bring about a reconciliation between the King and the Covenanters.[1] If that was his object, he did not succeed in accomplishing it, and he was again called upon, in May that same year, to act in the character of a mediator between the Marquis of Hamilton, and the Privy Council, and the Magistrates of Edinburgh, who took the side of the Covenanters. When the Marquis arrived in the Firth of Forth with his fleet and soldiers, he sent a letter to the clerk of Privy Council, commanding his attendance aboard his ship; and he also wrote a letter to the Magistrates, commanding them to send the clerk. The magistrates refused to comply with Hamilton's demand, and imprisoned his messenger. The leading Covenanters, at the same time, sent a letter to Hamilton, imploring him that a meeting of Parliament should be held according to His Majesty's indiction, either by His Majesty in person, or by Hamilton as Commissioner. The Marquis replied that, by their preparations and equipage, they appeared met rather to fight a battle than to hold a Parliament, and that their daily increasing disobedience to His Majesty's commands would necessitate him to have recourse to more severe measures. The day following, the Privy Council desired that leave might be granted them to wait on the Marquis by some of their number; and the Earl of Southesk and Lord Inuerpeffer waited on him in name and behalf of the Privy Council, anxious to know what he had to propose. He referred them to the royal proclamation. They represented to him the rage of the people, and the difficulty of reclaiming them either by reason or arms, and advised him to yield in some measure, and for some time, to their irritation of temper, which might cool by degrees.[2]

In the beginning of the year 1640, the King sent supplies to the Castle of Edinburgh, which so exasperated the populace, that they persisted in placing and keeping a guard at the gate for the future. General Ruthven, the Governor, on the other hand, insisted on the removal of this guard, and intimated that, in the event of his demand not being complied with, he would fire on the town.[3] At a joint consultation of the Committee of Par-

[1] Diary of Sir Thomas Hope. Bannatyne Club, 1843, p. 90.

[2] Nalson's Collections, vol. i. pp. 223-226.

[3] General Ruthven was successively created Lord Ettrick and Earl of Forth in Scotland, and Earl of Brentford, or Bramford, and Marquis of Thames in England. —[Spalding's Memorials of the Troubles, vol. ii. p. 446.]

liament and the Town Council, it was resolved to besiege the Castle. On learning this, Ruthven prepared to shell the town. Lord Southesk and Sir Lewis Stewart, both King's men, appealed to Ruthven to refrain from carrying his threat into execution. He gave them an hour only for the removal of the guards, and such was the general alarm, that many prepared to leave the town. The populace seized Lord Southesk and Sir Lewis Stewart, with some others, and imprisoned them, in the hope that Ruthven would hesitate to fire on the city whilst such men were detained in it. Many of those imprisoned were soon after released on subscribing the Covenant, and the Earl of Southesk was careful afterwards to explain to his Majesty that it was neither the Magistrates of Edinburgh, nor the Covenanting noblemen, but the infuriated multitude that were to blame in the matter. The King, however, was greatly incensed, and afterwards turned this incident to the prejudice of the Covenanters.[1]

Lord Southesk was chosen a Privy Councillor by the King and Parliament in 1641. The King intended, according to the advice of Traquair, to appoint his Lordship Commissioner to the General Assembly which met at Saint Andrews on the 20th of July that year. But Henderson prevailed with the King to pass over Lord Southesk, whose appointment would have been unfavourable to the Covenanters, and the Earl of Wemyss received the Royal Commission. Lord Southesk was present in the General Assembly which met at Saint Andrews on 27th July in the following year. The Earl of Dunfermline was the Royal Commissioner. The King wrote to the Marquis of Hamilton and other noblemen to attend and assist the Commissioner. None of them responded, with the exception of Lord Southesk, of whom it was remarked by the Covenanters, that he sat at the Commissioner's footstool, and oft whispered his unsavoury advice.[2]

His loyalty was undoubtedly 'unsavoury' to those who followed an opposite course. But he was no blind partisan; and he opposed extreme measures equally whether these measures proceeded from the King or from the Covenanters.

[1] Nalson's Collections, vol. i. p. 275. Gordon's History of Scots Affairs, vol. iii. pp. 125-129.

[2] Baillie's Letters, vol. ii. p. 46.

In the discussion in Parliament, on 12th October 1641, on the affair known as 'The Incident,' in which Montrose was implicated, Lord Southesk declared for a public examination in the face of the whole Parliament. He afterwards asked whether the trial of the Incendiaries or Plotters might not be dispensed with by the Parliament, if it was judged that passing from these trials would be a means of promoting the peace of the country? Baillie objected to this question, on the ground that 'sundry of the Parliament would have the envy of refusing the King's demand to fall on the 'Church. But,' he adds, 'by an overture cast in by our good friend Mr. 'George Young, we got the thorn put in the right foot. We required, before 'we would give an answer, our interrogators' declaration, whether they, in 'conscience, thought that the passing of that trial was a sure means of 'peace, without which it could not be heard? Upon this, without further 'troubling of us, the States resolved, as you have in the printed Act, for taking the trial, for their oath's sake, but remitting the sentence to the King.'[1]

Lord Southesk and other noblemen appeared on the 17th of November as cautioners for the good conduct of Montrose, Napier, and Sir George Stirling of Keir, who were then liberated without trial.

After the triumph of the Covenanters, Lord Southesk, either from choice or necessity, submitted to some extent to their authority. On the 19th April 1645, he appeared before the Committee of Estates, at their command, bringing with him his grandchild, Robert Grahame, eldest son of Montrose, and making a declaration concerning the intercourse between himself and the Marquis. The declaration has not been found, and the particulars of the intercourse referred to are unknown. But that Lord Southesk's part in that matter, as well as his general conduct at that time, was more in conformity with the wishes of the Committee of Estates than friendly to his chivalrous son-in-law, is manifest from the fact that he was allowed to return home to attend to his lawful affairs, and to deliver up young Grahame to the care of his mother.[2]

Lord Southesk was again an assessor to the King's Commissioner in the General Assembly of 1643.[3] He was a member of the Assembly which

[1] Baillie's Letters, vol. i. p. 394.
[2] Mr. Napier's Montrose, vol. ii. p. 513.
[3] Baillie's Letters, vol. ii. p. 46.

was opened 12th July 1648, but having been put on a 'mean committee,' he left the Assembly, and did not again appear at its subsequent meetings.[1] Upwards of forty years had now elapsed since the Earl first attended a General Assembly; and being now well advanced in life, it was not to be expected that he could be so active in the affairs of the Church as he had been in the earlier Assemblies. He was chosen a member of the Committee of Estates successively in 1645, 1648, and 1651.

His Lordship was for many years Sheriff of the county of Forfar, and took a lively interest in its prosperity and welfare. With others of the nobility, he took an active part in the proceedings instituted for having a map of the county constructed at a time when, in Scotland at least, geographical science was yet in its infancy. Sir John Scot of Scotstarvet, writing from Edinburgh, on 2d February 1648, to Robert Gordon of Straloch concerning his son James Gordon, says, 'The Earle of Southeask hath intention 'to send for Mr. James in the springe, to draue the shire of Angus, and 'aught in reason so doe, seeing he lost Mr. Timothie's' (Pont's) 'mapp.'[2]

As he advanced in years, and as the troubles of the country increased, the Earl retired into private life. But his privacy did not secure him against the greedy grasp of the victorious Cromwell, who fined him in the large sum of £3000 for no other reason, we are told by Crawford, than his wishing well to the King and the monarchy.

During a long life the Earl of Southesk took an active part in public affairs. He was a wise, sagacious, prudent and honest statesman, as well as an upright judge. Amidst the excitement created by the keen discussion of questions, both civil and ecclesiastical, his calmness and moderation were conspicuous, and disposed him, as we have seen, though not always with success, to act the part of a mediator between the King and the people.

'Nec numero clauduntur opes, nec limite rura
Carnegi, servat mens tamen alta modum.'[3]

The goodness of Lord Southesk will further appear from his private and domestic life, at which we shall briefly glance after this record of his public services.

[1] Baillie's Letters, vol. iii. p. 54.

[2] Spalding Club Miscellany, vol. i. p. 53.

[3] Epigrammata Arturi Jonstoni Scoti, Medici Regii, Abredoniæ Excudebat Edvardus Rabanus, 1632, 12mo. p. 31.

The Earl of Southesk married Margaret Lindsay of Edzell in the year 1595. She died intestate on 9th July 1614,[1] two years before her husband was created Lord Carnegie.

By this marriage there were four sons and six daughters.

The eldest son, David, who, on his father being created a peer, became by courtesy first Master of Carnegie, and afterwards Lord Carnegie, married Margaret Hamilton, daughter of Sir Thomas Hamilton of Byres, afterwards created Earl of Haddington. Isobel Hamilton, the elder sister of Margaret Hamilton, was settled a few years previously in the neighbourhood of Kinnaird. She became, in 1610, the wife of James, Master of Ogilvy, afterwards Earl of Airlie. That connexion, and the visits of her sister, soon led to the marriage of Margaret Hamilton to the young Laird of Kinnaird. The kindness which subsisted between Margaret Lindsay, Lady Kinnaird, and Isobel Hamilton, Mistress of Ogilvy, is referred to in a letter from the former, to be immediately quoted. The contract for the marriage of David Carnegie and Margaret Hamilton is dated 8th and 14th September 1613.

By the contract Sir David Carnegie provided the lands of Leuchars and Colluthie to his son and his spouse, in conjunct liferent, and to the sons of their marriage, whom failing, to return to Sir David. If there were only daughters of the marriage, the provision was 20,000 merks should there be only one; and should there be two, the same sum was provided to the elder, and 10,000 merks to the younger. Sir David also became bound to repair the mansion-house of Colluthie, and to make it suitable as a habitation for his son and his wife. The young lady got from her father a tocher of 20,000 merks Scots. Sir David also provided the liferent of Leuchars and the castle to his wife, Margaret Lindsay, should she survive him.[2]

The following letters passed between Sir David Carnegie and his lady and Sir Thomas Hamilton with regard to the celebration of the marriage :—

[1] The Inventory and Testament-dative of her goods and gear was given up by her husband, David Lord Carnegie, on behalf of their three younger sons, and their six daughters. All these children were minors, and were decerned executors-dative to her by the Commissary of St. Andrews on 31st January 1617. The Inventory shows that the Knight of Kinnaird and his lady farmed the Mains of Leuchars, Kinnaird, and Carnegie.—(Extract Testament at Kinnaird.)

[2] Original Contract at Kinnaird.

1.—Margaret Lindesay, Lady Kinnaird, to Sir Thomas Hamilton, the Lord Secretary, 18th September 1613.

My very Honorabill guid Lord,

I haue recauit your Lordship's letter, quhairby I persaue thair hais beine moir fauorable report maid to zour Lordship of my behauior towards zour Lordship's dochter, the Maistres of Ogiluy, then I merit; for I haif bein euer mair oblisit to hir Ladyships fauor nor I was aibll to aquyt. And quhair as your Lordship appeirs to render me thanks for the affectione I haif careit to this purpose, betuix zour Lordship's dochter, and our sone, I am suir thair culd be no forder reportit to zour Lordship of my guid will in that matter then thair was indeid; quhairto I was mouit be the many fauors schauin be zour Lordship to the Laird my husband, and my father, quha rests with God. The Maistres of Ogilluy's kyndnes to myself, the guid report I haif euer hard of zour Lordship's dochter, agreable to that quhilk I fand in hir my selff, sua that I haif for my awin pairt wery heartlie thanks to render to zour Lordship for zour affection, being wnable to acquyt the saming wtherwayis. Bot gif ane motherlie cair and luiff towards zour Lordship's dochter may gif pruiff of ane thankfull heart, and procure the contenowance of zour Lordship's fauor, I will promeis the samin, with God's grace, in gryter missure then to any Dochter that euer I buir; Sua leifing to fache zour Lordship with forder of my iuell uryt and dytment to ane better occatioun, I rest,

Your Lordship's wery affectionat freind at seruice,

M. Lindesay.

Kinnaird, Sept. 18, 1613.

To my very honorabill guid lord My lord Secreter.[1]

2.—Sir Thomas Hamilton to Sir David Carnegie of Kinnaird, Knight, 19th September [1613].

Right Honorable Sir,

When as I luked for no thing les nor to have beine interrupted from perfyting such of my weghtiest adoes as most concerned my contentment and weill, I ressaued this morning ane packet for lyfe, conteaning, amongis vtheris, ane letter writtin with my Lord of Rochester, commanding me, be His Maiestie's direction, to haist me to Court. And since the gude pourpose which we have intended is so far proceided as I wald be sorie to leive it in longer suspense, and yet have not permission of His Majestie to stay so long as oure first appoynted dyet, yow wald obleis me be most singular courtessie, if yow could be pleased to consent and prepaire that the mairiage of oure childrine might, God willing, be compleit vpon Tysday, the tuentie aucht of this moneth. I know this to be ane great preuention of sum

[1] Original Letter at Tynninghame.

intended preparations for apparrell and wairning of freinds, bot amongs wyse men and weill affeeted, substanee must be preferred to eireumstanees and eeremonies; and thairfore I will eraive your pardon to propine this ordour (whieh I refer and submit to your jugement and will) that omitting the longsumnes of vnneeessar apparrell, and taking sueh freinds as vpon this sehort wairning may be had, yow might be pleased to have your sone heir vpon Satterday or Monnonday nixt, and eause the testimoniall of his bands eum away vpon Sounday efternone, and be heir vpon Monnonday, to the effeet the mairiage might be vpon Tysday the 28—the vnexspeeted haist whairof, vpon this suddane and neeessar oeeasion, might exeuse the absenee of sum freinds, and want of mueh of oure intended preparation. Whieh mater being so aeeompleissed, yow might aither suffer your sone to stay in my house with his wyfe, or tak him with yow and leive hir in my house till my returne, or tak thame both with yow: or, if you wald esehew thair to long being togidder at the beginning yow might suffer him to go to Court with me for foure or fyve oulkis, and thairefter resolue what more eonstant eourse yow wald tak for his remaining or removing. Bot if none of thir please yow, I will be foreed to eraive pardon for delay of the mairiage till my returning, whilk I will not mislyke, if yow be absolutlie resolued that way; yet wald I be far glaider if yow eould be pleased to embraee the first eourse. Prayeing yow both to wryte to myself with this bearer, and to informe him be toung of your eonelusion. This letter from my Lord of Rochester will deelaire to yow the neeessitie of my journay, whieh the Thesaurar hes more amplie deelaired. I hope this will serue for your lady and sone's information, whom, with yourself, I eommit to God.

Your most constantlie loving freind at power,

S. Th. Hamilton.

Edinburgh, this Sonday, 19 Sept.

Sir,—It will please yow send bak to me with the bearer, this letter of my Lord of Roehester's, beeaus it is the warrand of my journay.

To the Right Honorable my most wourthie freind Sir Dauid Carnegie of Kinnaird, Knight.[1]

3.—Sir David Carnegie to Sir Thomas Hamilton, 20th September [1613].

My werie Honorabill Guid Lord,

I reeeawit zour Lordshipis letter this efternoone, vpone the feildis neir Bruehtye Craig, and finding thairbye that zour Lordship may not staye so long from taking jurneye to Cowrt as our appointit dyet, and thairfor desyrous that the mareage of our ehildrein mieht be perfytit vpone Tyisdaye the twentie aueht of

[1] Original Letter at Kinnaird.

this moneth, I haue resoluit,—as I ewir wes readye from the begining of this purpois, to prosecut the samen in substance, be zour Lordshipis directione,—so now in the circumstancis and ceremonies thairof, to obeye the will of zour Lordshipis letter; Albeit, be my ewill preparatione, I dout not to furneis just occasione of misconstructione to suche as ar ignorant of this sudane and onexspectat heist. I haue directit my sone to staye still with zour Lordship, quhill I cum my selff, quhilk sall be, God-willing, winde and wether serwing, on Monondaye at nicht, or Tyisdaye in the morning at the farrest. To the quhilk referring I continow

Zour Lordshipis most affectionat at serwice,

D. Carnegy, Kynard.

Eist Ferrie, 20th September.

To my werie honorabill guid Lord, My Lord Secretar.[1]

4.—Sir Thomas Hamilton to the Lady Kinnaird, 21st October [1613].

Madame,

When I had consaued almost assured hope to have had the contentment to sie your Ladyschipe in your owne howse, and my doghter's beginning of that happines which scho hes reason to exspect from such exemples and preceptis of vertue as scho may sie and learne of your Ladyschipe, my dewtie and obedience to His Majestie's commandement hes maid me to tak my journay to Court, and to command my doghter to addres her self to your house at the tyme appoynted be the laird your husband. The bypast pruiffes of your vndisserued fauour to me and my doghter gevis me assurance that now, when scho is more yours nor myne, your Ladyschipe will continow your accustumed loue to hir, and direct hir in evrie thing that may tend to the Laird's pleasour and your ladyschip's, and hir husbandis gude contentment. I thank God, I have not heirtofore seine any thing, aither in hir nature or custume, which may mak me to mistrust hir obedience to your commandements, and, thairfore, becaus I suspect rather vpon your pairt ouer great lenitie, nor any thing els, I will most ernistlie requeast your Ladyschipe, since now scho hes the honour to be your dochter, that yow may be pleased to direct hir so to conforme hir behauiour and actions as your ladyschipe wald wish hir to tak hir ply for your sone's contentment and weilfaire of your house, which fauour sall confirme the obligation of my loue and dewtie to the laird and your ladyschipe, and all that belong to aither of yow, to whom and to yowr selfs I beseik God to grant all happines, and to me occasion to manifest be dewtifull effectis, that I am and sall euer remayne,

Your Ladyschipe's most faithfull freind to do yow seruice,

S. Th. Hamiltoun.

Darneton the 21st of October.

To the Right Honorable and vertuous Lady the Lady Kinnaird.[2]

[1] Original Letter at Tynninghame.

[2] Original Letter at Kinnaird.

Margaret Hamilton proved an excellent wife, and her husband appears to have been fully sensible of her merits, for, on the 5th October 1629, he granted a bond for infefting her in the Mains of Farnwell, not only on account of various sums of money given to him by her father since the marriage, over and above her tocher, but because, by her help in governing his small estate, he had been enabled to save a larger amount of money for increasing the portions of their children than the value of what she was provided to by the bond. The lands of Pendreich and Farnwell, which were purchased from James Lord Ogilvie of Airlie in 1623, were amongst the acquisitions made by David Lord Carnegie through the management of his prudent wife.[1]

To the great grief of his father, Lord Carnegie died at Edinburgh on the 25th of October 1633. He was buried amongst his ancestors in the church of Kinnaird on the 1st of November following.[2] Lady Carnegie and their two daughters, Margaret and Magdalene, who were their only children, survived him. Margaret, Lady Carnegie, granted a discharge, on 14th January 1634, to her father-in-law, David Earl of Southesk, and her brother-in-law, James Lord Carnegie, of her liferent in the lands of Farnwell.[3]

After remaining a widow for fourteen years, Lady Carnegie married secondly James first Earl of Hartfell. She was his third wife, and their marriage took place on 31st January 1647. Their marriage contract is dated on the previous day, and the Earl's eldest son, James Lord Johnstone, is a consenter on the part of his father, and John Earl of Haddington, and Sir James Foulis of Colinton, and Sir Patrick Hamilton of Little Preston, Knights, are consenters on the part of Lady Carnegie. Her Ladyship is thereby provided by Lord Hartfell to the liferent of the mains, with the tower, fortalice, and manor place of Newbie, in Annandale, which are warranted to produce 2000 merks Scots; which sum her Ladyship might

[1] Original Discharge and Contract at Kinnaird.

[2] Original Retour of James Earl of Southesk to his brother, David Lord Carnegie, 11th May 1658, at Kinnaird. Minutes of Evidence in Southesk Peerage, p. 34. Balfour's Annals, vol. ii. p. 205. This retour states that Lord Carnegie died in December 1633. But it is more probable that Balfour is correct in stating that the death took place in October, and the burial in November, as the retour was not expede till nearly a quarter of a century after the death.

[3] Original Discharge at Kinnaird.

receive if she survived the Earl, without possessing the lands. Lord Hartfell also provided her in an annualrent of 4000 merks Scots out of the lands of Croftheads and others. He also made provisions for any children to be born of the marriage, but these provisions were not required, as there were no children.[1]

Margaret and Magdalene Carnegie, the two daughters of David Lord Carnegie, raised an edict of curatory, in which they cited James Lord Carnegie and Sir John Carnegie of Pittarrow, two of their nearest of kin on the father's side, and Thomas Lord Binning and Sir James Hamilton of Priestfield, two of their nearest of kin on the mother's side. The edict mentions that they were past the age of twelve years, and craved to have their rents and estates properly managed. An act of tutory was passed in their favour on the 23d of June 1635.[2] On the 4th of July thereafter the two young ladies granted a discharge to their grandfather, David Earl of Southesk, for 20,000 and 10,000 merks, due to them respectively, in terms of the contract of marriage of their parents.[3]

Margaret Carnegie, the elder daughter, married Gavin, Master of Dalzell, who was afterwards third Earl of Carnwath. By their contract of marriage, which is dated 21st July 1637, Robert, Lord Dalzell, father of the Master, became bound to infeft him and Margaret Carnegie, his spouse, in conjunct fee, and the heirs-male of the marriage, in the lands of Eliok, in the barony of Drumlanrig, and in other lands in the shire of Dumfries. The tocher of Margaret Carnegie was 20,000 merks.[4]

Of this marriage there were two sons, James and John Dalzell, who were successively Earls of Carnwath, and a daughter, Lady Jean Dalzell. The second son, John fifth Earl of Carnwath, was a nobleman of great learn-

[1] Original Contract at Raehills. This contract is attested by several distinguished witnesses: William Marquis of Douglas, John Earl of Crawford and Lindsay, High Treasurer, David Earl of Southesk, James Lord Carnegie, James Lord Ogilvie, John Lord Lour, Patrick Lord Elibank, Sir Archibald Johnston of Warriston, Knight, Lord Advocate, and many others. Along with this contract there is put up an inventory of the furniture of Lady Carnegie's house in Edinburgh, dated 27th January 1647, and a separate inventory of plenishing in Newbie, dated November 1648, subscribed by the Earl of Hartfell and Margaret Countess of Hartfell.

[2] Extract Act at Kinnaird.

[3] Original Discharge at Kinnaird. Minutes of Evidence in Southesk Peerage, p. 32.

[4] Extract Registered Contract at Kinnaird.

ing, and much skilled in the science of heraldry. He died in the year 1703 unmarried, and it is said that the first use of mantles in heraldry in Scotland was on his funeral escutcheon.

The younger daughter of Lord and Lady Carnegie became Lady Lochend, as the wife of Gideon Baillie of Lochend, in the county of Haddington, who was afterwards created a baronet. Their contract of marriage is dated 17th February 1636, and his mother, Dame Jean Nisbet, relict of Sir James Baillie of Lochend, Knight, is a consenter to the contract. Gideon Baillie thereby became bound to infeft Magdalene Carnegie in the manor place and mains of Lochend, and in the lands of Broompark and others; and, on the other hand, she assigned to Gideon Baillie sums amounting to 20,000 merks as tocher.[1]

When stationed at Dunglass, in East Lothian, with the army of the Covenanters, Sir Gideon Baillie was so severely wounded by an explosion of gunpowder, on 30th August 1640, that he died within a few days. The Earl of Haddington and several other gentlemen who were in the army along with Sir Gideon, were killed at the same time. According to tradition, the explosion was due to the spiteful temper of an English page in the service of Lord Haddington, who was so enraged by the sneers directed against his countrymen for running away at the battle of Newburn, that he thrust a red-hot iron into the powder magazine, involving himself and many others in instant destruction.

On the 11th of August 1641, an Act of Parliament was passed by the King and the estates of Parliament, authorizing Sir James Baillie of Lochend, Knight, Baronet, eldest son and heir to the late Sir Gideon Baillie, to get the benefit of previous Acts of Parliament, which provided for the entry of heirs to the lands of their fathers, who had fallen in the service of their country, without composition for their entry.[2]

Sir James Baillie, who was thus the son and heir of Sir Gideon Baillie in 1641, probably died without issue before 1648, at which date Margaret Baillie is styled 'heretrix of Lochend,' in a letter from her mother,

[1] Extract Contract at Kinnaird. It was recorded in the Books of Session, 28th July 1636.

[2] Acts of Parliament, vol. v. p. 359.

Magdalene Carnegie, and her second husband, Sir John Crawford of Kilbirnie, Knight, to the Laird of Luss, younger. In that letter Sir John Crawford and his lady propose a marriage of the daughter of the latter, the heiress of Lochend, in the following terms :—

Honorabill and Deire Sonne—We haue sent youe the richest jewell belonging to us in this wordill, our deireste dochter Mistresse Margaratte Baillie, heretrix of Lochend, quhom we desyre you may espousse to be your deireste wyffe. Sume things I have comitted to the beirer Capitane Walter Stirling, quhilk I desire youe will obey to the full, as youe ar about to honor God, quho hes caste this precius jewell and rictheste earthy blissing into youre hands. And as youe ar about to honor and obey us the only instruments of all youre happines in this particular greet blising, evine so sall youe be blised of God, as we the father and mother do blisse you bothe with all the blisings that ever he missoured out to husband and wyffe upon earthe : quhilk sall be the continuall prayers to God of your most deirly loveing parents and servants to our death,

J. C. Kilbirny.

Edenburgh, the 12 of May, 1648. M. Carnegy.

For the richt honorabill the Laird of Lusse, younger.[1]

In accordance with this proposal the heiress of Lochend became Lady Luss, as the wife of Sir John Colquhoun of Luss, commonly called, from his dark complexion, the 'Black Cock of the West.'[2] By the contract of marriage between the parents of Lady Luss, it was provided that their eldest daughter, if she became heiress of Lochend, should marry a person bearing the name and arms of Baillie, and that with the advice of four nearest of kin of her father and mother. This provision was probably unpalatable to the lady, and it may have confirmed her in a resolution to become the wife of Sir John, a purpose which appears to have entered her head on her first seeing him, and which led to the marriage being performed without the usual formalities. The lady was conducted to Rossdhu, the family seat of the Colquhouns in Dumbartonshire, in such a way as to show that she had

[1] Original Letter at Garden, Stirlingshire.

[2] A portrait of Sir John Colquhoun, by Sir Peter Lely, is preserved at Rossdhu. It represents a handsome man, of swarthy appearance, coinciding with his popular sobriquet. In the old Castle of Rossdhu, there was a stone with the names of Sir John Colquhoun and Dame Margaret Baillie. After the removal of the stone from the ruins of the castle, it lay for some time near the old stables, but it is now lost.

run off with Sir John, and not Sir John with her. She is said to have ridden before him on the same horse, and thus actually arrived at Rossdhu before him. But, be this as it may, it appears that there was some irregularity in the marriage, as Mr. Archibald M'Lauchlan, minister of the parish of Luss, was deposed by the Presbytery of Dumbarton for celebrating the marriage without the usual proclamation of banns.[1]

This was not the first offence of the kind with which the parson of Luss had been charged by the Presbytery of the bounds. He had been frequently before the Presbytery on various complaints, and on the 16th of May 1648 the Presbytery found that *de novo* he had transgressed in solemnizing the marriage of the Laird of Luss and Margaret Baillie without any proclamation of the banns of the marriage. The parson admitted the truth of the accusation, but alleged that he had warrant for so doing from the Lady Lochend and the Laird of Kilbirnie, her husband, who were parents and instead of parents to her. The non-proclamation of banns was not the only irregularity of which the parson of Luss was accused in reference to this marriage. Aware of the risk he ran in solemnizing it, without previous proclamation, he had, it would appear, fortified himself against the danger of deposition, by obtaining from the Laird of Luss an equivalent guarantee. This had become known to the Presbytery, who rigorously investigated the matter. On the same day that the parson was accused of celebrating the marriage, he was asked whether he had received a bond from the Laird of Luss for a thousand merks in the event of his being deposed from the ministry for the marriage. The minister confessed that he had received such a bond, whereupon, as the records bear, he was 'posed' if there was any clause in that bond prejudicial to the Kirk. He offered to exhibit the bond to the Presbytery at their next meeting.

At the next meeting of the Presbytery, on 16th July 1648, Mr. Archibald M'Lauchlan was again questioned anent the bond; but, well practised in fencing with his Presbytery, he evaded the production of the bond, by declaring that it was in a chest, the key of which was in the keeping of his wife, who was then in Edinburgh visiting her sick mother, and that, unwitting to him, she had laid up the key where he knew not to find it. With this

[1] Presbytery Records of Dumbarton.

answer the Presbytery declared themselves 'evill pleased,' and in the meantime they suspended him from the exercise of any point of his ministry, without prejudice of further censure. He was, at the same time, cited to produce the bond at the next meeting of Presbytery.

At the meeting of the Presbytery on the 22d August 1648, being required to produce the bond, he answered that his wife had not yet returned from Edinburgh.

At subsequent meetings of the Presbytery, the production of the bond was evaded; and at a meeting held on 26th December 1648, the minister having acknowledged that the bond was destroyed, and various irregularities having been charged against him, including his going to 'the leager of James Graham at Bodwell,' where he delivered up his son, and drank healths of several sorts in John Bell's house in Glasgow, he was deposed from the office of the ministry, and the parish of Luss declared vacant.

About a year and a half after, the deposed parson again appears before the Presbytery, supplicating that he might be admitted as a penitent to the communion of the Kirk. He afterwards conferred with a committee of the Presbytery, to their great contentment, and expressed deeply his sense of the miscarriages for which he was deposed in such a manner that they could not but in charity think him a penitent. He was appointed to appear before the Presbytery upon his knees, to make confession of his faults to God, and supplication for pardon, and for the 'opening of his mouth.' Ultimately, on 25th May 1652, the Presbytery granted him a testimonial to the Presbytery of Argyll, to whose bounds he intended to remove, and recommended him to their favourable consideration as a true penitent.

Lady Luss, whose marriage had thus been the cause of so much trouble to the Presbytery of Dumbarton, and the parson of the parish, survived her husband, Sir John Colquhoun, who died in the year 1676, and to whom, besides other children, she had a daughter, Lilias, who became Lady Keir, as shall be afterwards shown. She married secondly Archibald Stirling of Garden, in the county of Stirling, eldest son of Sir Archibald Stirling, Lord Garden. The marriage took place on 1st April 1677, and her friends thought that, on the second, as on the first occasion, she had used considerable despatch.

Her brother-in-law, the Honourable Patrick Lindsay of Kilbirnie, wrote to Lady Luss about her second marriage as follows :—

KILBIRNY, *April* 24, '77.

DEARE SISTER—I was just taking horse for Achans when your letter arrived my hands. I shall not say but the newes of your mariage surprised me, neither shall I desemble my thoughts so farre as not to confesse I had rather wished you had continued unmaryed for the advantage of your sonne's affairs; but since the caise is otherwayes, I shall not condemne your choice, since the gentleman is very deserving. If your sonn's businesse go weel on, it is that which I shall looke upon as the hight of my ambition; the family of Lusse being on of the familys on earth I wish most happinesse to. I am your husband's most humble servant. I wish you both much joy togither, for I shall ever endevour to approve myselfe to be,

Deare Sister, your affectionat Brother and most humble servant,

For the Lady Lusse. P. LINDSAY of Kilbirny.[1]

On the same day Sir Archibald Stewart of Blackhall and Ardgowan, another brother-in-law of Lady Luss, also wrote to her, saying that she had made good haste indeed, and that she might have spared herself the trouble of making an apology to him for her speedy despatch. He confessed that there were some informalities in the affair, and something 'of ane extraordinarie speidie dispatch that he did not approve.'[2]

The second marriage of Margaret Baillie with Archibald Stirling of Garden brought her into a peculiar position with regard to Lilias Colquhoun, daughter of her first marriage. Lilias married Sir John Stirling of Keir, who was the elder brother of Archibald Stirling of Garden, the second husband of Margaret Baillie. The mother and daughter thus became sisters-in-law,—the mother being the wife of the younger brother, and the daughter the wife of the elder brother. The daughter, Lilias Colquhoun, thus became both the sister uterine and aunt of her mother's son, Archibald Stirling of Garden.

Of her second marriage there was issue one son, Archibald Stirling of Garden. Margaret Baillie survived that marriage little more than two years, having died on 20th July 1679. Although blamed by some of her friends for her 'extraordinarie speidie dispatch' in entering on a second marriage, she appears to have faithfully discharged her duties as a mother. It is recorded by one who had good opportunities of knowing, that she was

[1] Original Letter at Garden. [2] *Ibid.*

'a pattern for temperance and modesty, and an exact instructor of her 'children.'[1] On the occasion of her death, the following tribute in honour of her memory was written by a friendly hand :—

As verteue, prudence, wisdome, goodnes, grace
Are treue characters of this Gracious Guyd,
So meeknes, loue, illustrating her place
To be suprem, includeth all besyd.
So wee perceaue no splendor one can haue
Will free them from fatalite of graue,
Iff ought could plead exemption from that strok,
Hir immence mynd adorned with sacred store
Off select scaution, might the heaunes provok
To pittie people that can plead no more
Bot since nor grace nor verteue this can moue,
Wee most submit vnto the God of Loue.
Wee sie her losse, may weal compared bee
Vnto the fall of sum great fabrick fair,
Which guylted ore shyn'd with excellencie
Non to be seen that with it could compair,
Bot now decayed : So shee whil hear below
Had no compair for any thing wee know.
Itt is most sure she lived all her lyffe
A most kynd mother, widow and a wyffe.[2]

The three younger sons of the first Earl of Southesk were—(1.) James, who became second Earl, and carried on the line of the family; (2.) Sir John Carnegie of Craig, of whom an account will be given presently; and (3.) Sir Alexander Carnegie of Pittarrow, from whom the present Earl of Southesk is lineally descended. An account of Sir Alexander and his descendants will be given under the Pittarrow branch of the family.

Through the prudent management of the first Earl, his sons were provided with good estates, and his daughters were married into good families.

In the year 1632, his lordship had the satisfaction of arranging a marriage between his third son, Sir John Carnegie, then of Pittarrow, and Jane, daughter of Sir John Scrymgeour of Dudhope, Knight. The Scrymgeours

[1] Law's Memorials, p. 89.

[2] Original at Garden, where is a portrait of Margaret Baillie, the subject of these verses.

were one of the oldest families in Forfarshire. They were heritable Standard-Bearers, and Constables of Dundee. Sir John Scrymgeour was raised to the peerage in 1641, by the title of Viscount Dudhope, and, twenty years later, his grandson, the third Viscount, was created Earl of Dundee. The marriage-contract between Sir John Carnegie and Jane Scrymgeour is dated 27th October 1632. Her tocher was twelve thousand merks Scots.[1] Lord Carnegie provided his son Sir John to the lands and barony of Pittarrow in the Mearns, which were afterwards transferred to his fourth son, Sir Alexander Carnegie, when Sir John was provided to the barony of Craig, near Montrose. He was thereafter known as Sir John Carnegie of Craig.

Of this marriage there were two children, a son and a daughter.

1. David, who succeeded his father in the estate of Craig.
2. Margaret, who married, at Craig, on 14th October 1661, George Dunbar of Inchbrayock and Aslisk.[2]

Sir John Carnegie died on 22d November 1654, as appears from the Diary of John Lamont of Newton, who records under that date that the Laird of Craigie, elder, in Angus, surnamed Carnegie, departed out of this life. He was succeeded by his only son, David Carnegie, second of Craig, who was served heir to his father on 22d May 1656.[3]

David Carnegie married, on 28th December 1654, Lady Catherine Wemyss, youngest sister of the Earl of Wemyss. According to Lamont, the marriage festivities were celebrated at the Wester Wemyss in her brother's house.

During his possession of Craig, David Carnegie contracted large debts, and greatly dilapidated his estate. Having no children of his marriage, he made a new settlement of his estate of Craig upon his cousin and next heir-male, David Carnegie of Pittarrow, on condition of being relieved of his debts, amounting to £59,000 Scots, and under reservation of his own liferent and the dowry of his wife. This settlement he soon after challenged, on the ground of fraud and circumvention; and in 1661 he obtained an Act of Parliament setting it aside.

James, the second Earl of Southesk, and David Carnegie of Pittarrow,

[1] Original Contract at Kinnaird. Minutes of Evidence in Southesk Peerage, p. 85.

[2] Registers of the parish of Craig.

[3] Original Retour in Rossie or Craig charter-chest.

complained that this Act was passed on *ex parte* information, and upon insufficient evidence, without any investigation, and without even citing the Earl, who had a material interest in the family settlement. They stated that the Act was obtained through the undue influence of the Earl of Dundee, who had a desire to get the estate, and who afterwards obtained a disposition of it from David Carnegie. These pleas were repeatedly urged for several years, and the Parliament was petitioned to review the judicial Act of 1661. Lord Southesk and Pittarrow complained of the Act as a grievous injury to their fortune and character. But it does not appear that they ever obtained redress.

David Carnegie of Craig died about the year 1663, without issue; and his relict, Lady Catherine Carnegie, married, secondly, on 16th August 1664, Sir Andrew Ker of Greenhead. That marriage displeased her friends. Her second husband died in May 1665. Lady Catherine, who survived him about three years, died on 24th February 1668, at Dysart in Fife, and was interred in Lord Sinclair's aisle in the parish church of Dysart. Lamont records that 'she dyed without ishwe.'[1]

Soon after the royal festivities at Kinnaird in May 1617, Lord Carnegie's eldest daughter, Margaret, married William Ramsay, eldest son of Sir George Ramsay of Dalhousie. By their contract of marriage, which is dated at Kinnaird 3d October 1617, the tocher bestowed by his Lordship with his daughter was twenty thousand merks. For this sum the father of William, who now designates himself George Lord Ramsay, granted a discharge on 19th November 1618.[2]

Sir George Ramsay was created Lord Ramsay of Melros in 1618, which title he exchanged for that of Dalhousie in 1619. His son William succeeded him as second Lord Ramsay, and, on 29th June 1633, he was created Earl of Dalhousie. William, first Earl of Dalhousie, and Margaret Carnegie, his countess, had a family of four sons and three daughters. From that marriage is lineally descended the present Fox Maule Ramsay, eleventh

[1] The legal evidence showing the extinction of the Craig line of the Carnegie family is fully stated in the printed cases for the present Earl in his claim to the Southesk peerage, and in the relative minutes of evidence.

[2] Extract Registered Discharge at Kinnaird.

Earl of Dalhousie, whose friendship to the present representative of the Earls of Southesk has been proved on many important occasions.

Margaret Carnegie, Countess of Dalhousie, died in April 1661. An incident connected with her funeral has been recorded in the confession of a female accused of witchcraft. Under a Royal Commission, dated 6th June 1661, Janet Watsone (apparently in or near Dalkeith) confessed 'that in Apryle last bypast, or tharby, schoe being at the buriall 'of the Lady Dalhousie, ther was ane rix-dollar given to Jean Bughane, 'to be pairted among a certain number of poore folks, wherof shoe was 'one. And the said Jean Bughane did run away with the said money, 'soe that schoe gott no pairt of it. And schoe come home to her awne 'house, being verrie grieved and angrie at it, wished to have amendse of 'Jean Bughane. Vpone the which the dewill appeared vnto her, in the 'liknes of ane prettie boy in grein clothes, and asked, "What ailed her?" 'etc., that she afterwards met the deivil, denied her Saviour, and promised 'to serve the evil one, and that she got the name of "Weill-dancing Jenot" 'from him, and the promise of money at their next meeting.'[1]

Agnes Carnegie and Katherine Carnegie, the second and third daughters of Lord Carnegie, were married within a month of each other, the one in August and the other in September 1620. Agnes became the wife of James Sandilands, eldest son of William Sandilands of St. Monance, in the county of Fife. Their contract of marriage is dated at Leuchars and St. Monance, the 5th and 8th days of August 1620.[2] Lord Carnegie bestowed on her a tocher of 10,000 pounds Scots.

Some of the peerage writers, confounding Lady Agnes Carnegie with another lady, represent her in a very unfavourable light. In the account of Sir James Sandilands, first Lord Abercrombie, various charges are made by him against his wife, Lady Abercrombie, who is said, but incorrectly, to have been Lady Agnes Carnegie. It is necessary to trace this story somewhat minutely, for the purpose of showing how unfairly blame has been cast upon an innocent lady.

[1] Original in MS. Coll. of Society of Antiquaries of Scotland, quoted in Mr. Pitcairn's Criminal Trials, vol. iii. p. 601.

[2] Original Contract at Kinnaird. One of the witnesses to the contract is Mr. Alexander Henderson, minister at Leuchars, who was afterwards the leader of the Covenanters. He subscribes 'Alexr. Henrysone.'

Sir James Sandilands was raised to the peerage by King Charles I. by the title of Lord Abercrombie, by patent dated at Carisbrooke Castle, 12th December 1647. He must then, one would suppose, have possessed some qualifications to induce his sovereign to create him a peer, but, within two years of his creation, he showed himself altogether unworthy of this mark of honour. Lamont calls him a 'ryotous youth wha spent ane olde estate in the space of four or five yeares.'[1] At a meeting of the Presbytery of St. Andrews, held on 1st August 1649, the gross miscarriages committed by the Lord Abercrombie in striking an elder and the kirk beadle of the parish of Abercrombie for warning his lady to compear before the session of Falkland, were represented to the Presbytery. The Presbytery appointed him to be summoned to their next meeting, to be held within fifteen days, to 'answer for these outrages, as well as for his scandalous intemperance and other scandalous miscarriages, and, in the meantime, advised that the session of Abercrombie should delay using any further summons against Lady Abercrombie, in consequence of the violence done to their messenger, till some other course should be taken in reference to that matter.

At the meeting of Presbytery on the 12th September following, after the Presbytery had sent brethren to confer with my Lord Abercrombie anent his beating the elder and the kirk beadle in executing his office, and anent his frequent excess in drunkenness, he compeared himself, and confessed that he had been frequently chargeable with gross intemperance, and professed his willingness to submit himself to the Presbytery for his scandal therein. He acknowledged that he did beat the elder and kirk beadle, but not in relation to the execution of kirk laws, and he promised to be careful to forbear the like in future. He also undertook that his lady should go to the session of Falkland, and there clear herself of the scandal alleged against her, and that he would produce a testimony to that effect before the ensuing Provincial Assembly. The Presbytery also admonished him for absenting himself from the worship of God in his own congregation, and for entertaining bad company. He promised amendment for the future. He also presented a paper acknowledging his sense of the sinfulness of the late unlawful engagement, and of his accession thereto, and humbly desiring,

[1] Lamont's Diary, p. 11.

as he was shortly to leave the kingdom, to be permitted to declare himself publicly in these things, and so be reconciled with the kirk of God and his people in this land. To convince him that it was not his shame before the world, but his good that the Presbytery was seeking, the Presbytery appointed him to be wisely and gravely admonished on the Sunday following in his own parish kirk for all these sins, and mainly for his activity in the late sinful engagement. His Lordship's professions of grief and sorrow for all these offences, and his promises to behave himself better in time to come, were favourably listened to by the Presbytery; and he was appointed to subscribe the declaration of the General Assembly.

At a meeting of the Presbytery of St. Andrews on 2d January 1650, the ministers of St. Andrews were ordained to delay the baptism of Lord Abercrombie's child, till, according to the appointment of the Provincial Assembly, he cleared himself of the scandal raised by him against his lady.

At a meeting of the Provincial Assembly of Fife, held at St. Andrews on the 2d April thereafter, a reference from the Presbytery of St. Andrews concerning the baptizing of the Lady Abercrombie's child was considered; and the Provincial Assembly ordained that the child should be baptized, provided Lord Abercrombie still adhered to his letter written to the last Synod. But it was not to be understood that Lady Abercrombie was thereby cleared of the scandal with which she stood charged.

From the session records of the parish of Abercrombie it appears that Lord Abercrombie's child was baptized on 30th April 1650, by the name of James, before honest witnesses. In the absence of Lord Abercrombie, the child was presented by the Laird of Kilbrackmond, who bound himself to satisfy for anything that hereafter might be objected against Lady Abercrombie, anent the scandal at Falkland.[1]

The letter which Lord Abercrombie wrote to the Provincial Synod of Fife, held before the meeting on 2d April 1650, is not engrossed in the minutes of the previous Assembly, but Lamont in his Diary, under date 25th September 1649, mentions that a letter was read from Lord Abercrombie, wherein he desired that the rash and groundless slander first

[1] Records of the Presbyteries of St. Andrews and Cupar, printed for the Abbotsford Club, 1837, pp. 49, 50, and 52. Also Records of the Synod of Fife, printed for the same Club, 1837, p. 168.

invented by himself on his lady, might be referred to the Kirk-session of Falkland. But the matter was referred to the Presbytery of Cupar.

At a meeting of that Presbytery held on 17th January 1650, it was appointed that Lord Abercrombie, for the removal of the scandal and false report raised by him against his lady at Falkland, should appear in the kirk at Falkland upon a Sunday before noon after sermon, and having acquainted the minister with his presence and resolution to submit to the discipline of the Church, should declare his fault in the presence of the congregation.[1]

This unpleasant story was thus brought to a close, by the public ecclesiastical censure of Lord Abercrombie for having scandalized his lady. According to all the peerage writers, and several works on the parish of Abercrombie, that lady was Agnes Carnegie, daughter of the Earl of Southesk. But these authorities, however numerous and consistent with each other on this head, are all mistaken. The Lady Abercrombie who figures in the ecclesiastical courts of Fifeshire was not Agnes Carnegie, but Jean Leighton, daughter of Patrick Leighton of Dunninald, in the county of Forfar. Her existence was unknown to the peerage writers, and in their ignorance they attributed to her mother-in-law the proceedings in reference to herself. Jean Leighton was married about the year 1643 to Sir James Sandilands, who was the son of Agnes Carnegie, and afterwards created Lord Abercrombie. The contract for their marriage is dated in August that year.[2] On the 1st of March 1644, they obtained a Crown charter of the barony of Fernyflat, in the county of Kincardine.[3] Sir James Sandilands, younger of St. Monance, the husband of Agnes Carnegie, predeceased his father between March 1644, the date of the above charter, and 5th July 1645, when his son, also Sir James, was served heir to his grandfather William Sandilands, who died in October 1644.[4] He was created Lord Abercrombie in 1647, and it is this Lord and his Lady, Jean Leighton, who figure so unfortunately in the ecclesiastical records of Fife.[5]

[1] Records of the Presbytery of Cupar, *ut supra*, p. 151.

[2] Extract Contract at Kinnaird.

[3] Reg. Mag. Sig., B. 57, No. 400.

[4] Retour in Chancery.

[5] The account of this branch of the Sandilands family who became Lords Abercrombie is very inaccurately given by all the peerage writers. A single document—the contract of marriage between James Sandilands younger of St. Monance, and Agnes Carnegie above mentioned—supplies much informa-

Lady Katherine Carnegie, the third daughter of the first Earl of Southesk, became the wife of Sir John Stewart of Traquair. Their contract of marriage is dated 14th September 1620. Her tocher was 20,000 merks.[1] Sir John Stewart was afterwards created Lord John Stewart of Traquair in 1628, and Earl of Traquair in 1633. He was a leading statesman in the reign of King Charles I., and was engaged in many important public transactions. He held the office of Lord High Treasurer of Scotland from the year 1635 to the year 1641. When the King, in 1639, called a Parliament and an Assembly of the Clergy, with the view of healing the divisions in reference to ecclesiastical questions, his Majesty selected Traquair to be the Royal Commissioner to that Parliament. In that position, which was very difficult, owing to the keen party spirit which then prevailed, Traquair acquitted himself to the entire satisfaction of the King.

While endeavouring to avert the ruin of his King, Lord Traquair succeeded only in ruining himself. Fighting at the head of a regiment of horse raised by himself, he was taken prisoner in the engagement at Preston, and sent under a strong guard to Warwick Castle, where he was kept prisoner for nearly four years. Being denuded of his estate, and having lost all his former influence, he was looked upon by Cromwell with a kind of pity and he set the Earl at liberty. By that time, however, he had suffered so severely in his fortune that Bishop Burnett says that he saw him so low that he wanted bread, and was forced to beg; and it was believed that he died of hunger.[2] Another author says that he languished for five or six years, till the month of September 1659, when, upon a Sabbath betwixt sermons, all of a sudden he fell into a fit of apoplexy, of which he died in a few hours.[3]

tion not contained in any of the editions of the Scottish Peerage. Thus it appears from the contract that James Sandilands, the husband of Agnes Carnegie, was the eldest son of William Sandilands of St. Monance and Jean Bothwell his sponse. This lady is not mentioned by the peerage writers. Again, the mother of that William Sandilands was Isabel Strang. She married, secondly, before 1620, Ninian Bonar of Keltie. That lady is not mentioned by any peerage writer. William Sandilands was the second lawful son of the said William Sandilands and Isabel Strang. A third lady, not known to the peerage writers, was Jean Leighton, Lady Abercrombie, whose history has been already given.

[1] Original Discharge by Sir John Stewart, dated 25th March 1625, at Kinnaird.

[2] History of his own Time, Oxford edition, 1823, vol. i. p. 40.

[3] Lives of the Officers of State, by George Crawfurd, Edinburgh, 1726, p. 414.

Thus Traquair, who had command of the revenues of the kingdom, and occupied one of the highest positions in his country, in his old age, was in want of the very necessaries of life, was deserted by all his old friends, and even his eldest son, Lord Linton, did not accord to him that sympathy which duty and affection required.

To her credit, Katherine Countess of Traquair remained true to her husband. Some of her letters, addressed to him when he was a prisoner in England, are preserved at Traquair, and a selection of them is printed in a subsequent section of this work. These letters show the goodness of heart of the Countess, and her dutiful attachment to the unfortunate Traquair.

During the year 1629 two important events occurred in the domestic circle of Lord Carnegie: the marriage of his second son and ultimate successor, Sir James Carnegie, and the marriage of his youngest daughter, Magdalene. Sir James married Lady Mary Ker, daughter of Robert Earl of Roxburgh, and widow of James Haliburton of Pitcur. She brought a tocher of 24,000 merks Scots.

The marriage of Magdalene to James, then Earl, and afterwards Marquis of Montrose, was celebrated at Kinnaird on the 10th of November 1629. The Castle of Kinnaird was one of the nearest mansions to the house of Old Montrose,[1] belonging to the Earl of Montrose, who was a frequent visitor at Kinnaird. Being an only son, his curators were desirous of his early marriage. When it took place he was only in his 17th year. The exact age of his Countess is unknown, but she must have been very young. The contract for their marriage is still preserved in the Montrose charter-chest, and there are also at Kinnaird several documents relating to the personal and domestic history of the young Montrose. From these documents Mr. Napier has written his chapter on the nuptials of his hero in the Memoirs of Montrose.[2]

In that chapter Mr. Napier adds to the interest of the romantic marriage of Montrose by recording an anecdote of his young Countess having been previously disappointed by a former faithless lover, the 'Master of Airlie.' This could only refer to the Master of Ogilvy, as there was no Master of

[1] In the marriage-contract of Montrose, after quoted, it is called the tower and fortalice of Auld Montrose. Part of the tower is still standing.

[2] Memoirs of Montrose, Edinburgh, 1856, vol. i. pp. 65-73; also vol. ii. pp. 512-14, 614-15, 827.

Airlie till the title of Earl of Airlie was created, several years afterwards. The story is that the Master had courted the lady for some time, but that, when on his way to Kinnaird Castle to bring the matter to a happy conclusion, by a formal proposal, his horse having stumbled in crossing a river, or refused to take the ford, and that, interpreting this as an evil omen, he suddenly turned his back upon his intended bride, and never loved her more.

The only evidence adduced for the truth of this unlikely story is that of an alleged family tradition, which is often a very unsatisfactory historical authority. Whether such a tradition ever existed either in the Southesk or Airlie family is uncertain, but in any case the story itself is extremely improbable from the circumstances of the parties.

James Master of Ogilvy was married, or at least contracted in marriage, in 1629, to one of his own clan, Helen Ogilvy, daughter of George, first Lord Banff, as appears from their marriage-contract, which is dated on the 20th and 25th March that year.[1]

This was nine months before the marriage of Montrose, which took place in November the same year.

The Master of Ogilvy was then a very young man. The contract of marriage of his father and mother is dated 22d November 1610, and it is probable that the master was born in the year 1612. He could not, therefore, have reached his eighteenth year in 1629.

It is not very credible that the Master of Ogilvy, before he had completed the eighteenth year of his age, could have first gone through a course of courtship with the young Lady Magdalene Carnegie, for whom his love was extinguished by a wayward horse, and that then he went through a second course of successful courtship with another lady, whom he married.

The tradition, if it really existed as stated by Mr. Napier, as to the faithlessness of the Master of Ogilvy, may have arisen from a misapprehension of the circumstances, and from the mere coincidence of Montrose and the Master, both young noblemen in the same county, having become husbands in the same year, and at the same juvenile age of seventeen years.

[1] Inventory of Muniments of the Earl of Airlie, No. 1259.

The contract of marriage is not printed in Mr. Napier's Memoirs. As it is a document of some interest, on account of the historical character of Montrose, and also on account of certain of its provisions, it is introduced in this memoir of the father of the Marchioness of Montrose :—

At Kynnaird, the tent day of November 1[m] vi[c] tuenty and nyne yearis; it is appoyntit, aggreit, and finallie accordit betuix the honorabill pairties wnderwrettin, to witt, ane noble and miehtie Earle, James Earle of Montroise, Lord Grahame and Mugdocke, with eonsent of his eurators wndersubscryveand, on the ane pairt, and ane noble and potent Lord, David Lord Carnegy, for himselff and takand burding on him for maistres Magdalene Carnegy, his lawfull dochter, and the said maistres Magdalene for hir selff with eonsent of hir said father on the other pairt, in maner, forme, and effect following: that is to say, Forsamekill as the saidis noble earle and Maistres Magdalene sall, God willing, solemnize and accomplisehe the band of mariage mutuallie one with another, in face of holy kirk, with all convenient diligence; thairfoir, and in contemplatione of the said mariage, and for the toeher wnderwrettin, the said noble Earle, with consent foirsaid, bindis and obleisis him and his airis to dewlie and suffieientlie infeft and sease be ehartor and saising, titulo oneroso, in dew and eompetent forme, the said maistres Magdalene, his promised spous, in lyfrent during all the dayes of hir lyftyme, in all and haill the landis and barrony of Auld Montrose, with the toure, fortaliee, mylnes, multures, salmond fisching of Southesk, . . . the landis of Fullartone and thrid pairt landis of Ananie, . . . the landis of Marietoun, with the aikeris thairof and salmond fischeing wpone the said watter of Southesk, belonging to the saidis landis, . . . all lyand within the paroehin of Marietoun and schirefdome of Forfar. . . .[1] And it is exprcslie provydit be expres eonditione of this present eontraet, that in caice it sal happin that thair be no airis maill procreat of the said mariage bot dochteris, ane or mae, in that caice the said noble earle salbe bund and obleist, lykas be thir presentis, with consent aboue specefeit, he binds and obleisis him and his foirsaidis to eontent and pay to thame, gif thair be bot ane dochter, the sowme of fourtie thousand pundis money; and gif thair be tua or mae, the sowme of four scoir thousand merkis, equallie to be devydit among thame, and that howsoone and quhenevir they sall atteine to the aige of sextene yearis compleit; and in the meantyme to interteny and sustene thame honorablie in all thinges necessar and requisit, conforme to thair rank and degrie: for the quhilkis causis the said noble Lord, David Lord Carnegy, binds and obleisis him, his airis and executouris, thankfullie to content, pay, and delyver to the said noble Earle, his airis, executouris, or assignais, in name of tocher with his said dochter, the sowme of fourtie thousand pundis money of this realme: . . . And siklyk the said noble Lord, David Lord Carnegie, bindis and obleisis him and his foirsaids to interteny

[1] The part here omitted is a formal clause as to the manner of holding the lands.

and sustene in hous with himselff honorablie the saids noble Earle and maistres Magdalene Carnegy, his promised spous, during the spaee of thrie yearis nixt eftir the said mariage and dait of thir presentis, with sik traine as salbe sett downe in ane note subseryvit be Sir Robert Grahame of Morphie, Knieht, Sir William Grahame of Claverous, Knicht, Sir Jon Carnegy of Athie, Knieht, and Alexander Carnegy, brother-german to the said noble Lord: quhilk note is deelared to be thir presentis to be a pairt of this eontraet: Finallie it is aggreit be boith the saidis pairties that the toeher salbe first imployed for redeeming of the landis gevin to the said Maistres Magdalene in lyfrent; and for the mair seeuritie baith the saidis pairties are eontent, and eonsentis that thir presentis be insert and registrat in the buiks of eounsall and sessioun, to have the strenth of ane deereit of the lordis thairof; that letters of horning wpone sex dayes, and otheris exeeutoriallis neidfull may pas heirwpone; and for that effeet makis and eonstitutis thair lawfull proeuratoris promittentes de rato, ete. In witnes quhairof (wrettin be David Matheris, servitor to the said noble Lord, David Lord Carnegy) they have subseryvit thir presentis with thair handis and the said noble Earles eurators in token of thair eonsent, day, year, and place forsaidis, befoir thir witnesis, David Maister of Carnegy, Sir Jon Carnegy of Athie, Knieht, Sir James Carnegy of Craige, Knieht, William Haliburtone of Piteur, Alexander Carnegy of Wayne, John Grahame, servitor to the said noble Earle, Robert Grahame, fiar of Morphie, Walter Grahame of Duntroyne.

D. Carnegy, *witnes.*
W. Halyburtone of Pitcur, *witnes.*
S. J. Carnegie, Athie, *witnes.*
A. Carnegy, *witnes.*
R. Græme, *witnes.*
S. J. Carnegy, *witnes.*
Jhone Grahame, *wittnes.*
Walter Grahame, *vitnes.*

J. Colquhoune of Luss.
S. R. Græme of Morphie.
Jo. Græme of Orehill.
S. W. Grahame of Clauerhous.[1]

Montrois.
M. Carnegy.
Carnegy.

The contract shows that there was a considerable assembly of the Grahams and Carnegies at Kinnaird to witness the nuptials of the young Earl and Countess. Sir Robert Græme of Morphie, Græme of Orchill, and William Graham of Claverhouse, father of the famous Dundee, subscribed the contract as curators for the Earl.

The Earl of Montrose, while carrying on his courtship, was a frequent

[1] Original Contract at Buchanan. James Earl of Montrose granted, on 30th May 1630, a discharge to David Lord Carnegie for £20,000, as the half of £40,000, being the the tocher in the above contract.—[Original Discharge at Kinnaird.]

visitor to his kinsmen at Morphie in the Mearns. Lady Morphie, the wife of Sir Robert Græme of Morphie, was Euphemia Carnegie, sister of the first Earl of Southesk, and aunt of the young Countess of Montrose. It was from Morphie that Montrose rode to Aberdeen to sit to the famous George Jamieson for his portrait, which was given to the Earl as a marriage present by the Knight of Morphie.[1] The original of that beautiful portrait is still at Kinnaird, and from it an engraving was made for Mr. Napier's Memorials of Montrose.

Mr. Napier mentions that the place of Kinnaird was at no great distance from St. Andrews, and that Montrose, who had been a frequent visitor at Kinnaird while a student at St. Andrews, was captivated by the young lady in the third year of his college life. But while Montrose was a student at St. Andrews, the Earl of Southesk frequently resided at his stately old Castle of Leuchars, which is quite close to St. Andrews. The young student had no doubt been a frequent visitor at Leuchars, as well as at Kinnaird.[2]

The three years which the youthful Montrose and his wife spent at Kinnaird in accordance with the provision of their marriage-contract, were probably, as Mr. Napier remarks, the only years during which Montrose really enjoyed the comforts and blessings of domestic ties and wedded life.

In the end of the year 1632 or beginning of 1633 Montrose went abroad, leaving behind him his Countess and her two infant sons, John and James Graham. During his absence, and even after his return, there is little recorded of his Countess. From some allusions to her in the proceedings of the Committee of Estates, it is probable that she had followed the advice of her father in reference to her own conduct and the management of her children, during the stirring career of their father. She predeceased her

[1] Mr. Barron Graham, the present Laird of Morphie, has a portrait of his ancestor, Sir Robert Graham of Morphie, Knight, painted by George Jamieson, probably about the same time as the portrait of the young Earl of Montrose.

[2] Mr. Napier states that Lord 'Kinnaird' became Earl of Southesk, and he refers to him as the 'worldly wise Kinnaird.' The Earl of Southesk was never known as Lord Kinnaird, but as Lord Carnegie; and, with great deference to Mr. Napier, we think that the prudence and discretion of that sagacious nobleman deserve a better name than worldliness.

husband in November 1645, and the Marquis came and buried her at Montrose, whence he was pursued back to the north by General Middleton.

This was not the only alliance between the Grahams and the Carnegies. Under the Northesk branch of the family it will be seen that Lady Magdalene Carnegie, daughter of the first Earl of Northesk, married William Graham of Claverhouse. The eldest son of that marriage was John Graham of Claverhouse, the famous Viscount Dundee. The Carnegies were thus closely allied by marriage to the two greatest heroes in the family of Graham.[1]

Lady Marjory Carnegie, the fourth daughter of Lord Carnegie, married, first, William Halyburton of Pitcur, in the county of Forfar, who was descended of the Halyburtons, Lords Dirleton, in the county of Haddington. Their contract of marriage bears date 31st October 1622. Lady Pitcur received a tocher of 20,000 merks.[2]

In implement of the contract, Marjory Carnegie was infeft in the lands of Cowper Maculty, in the county of Forfar, by her husband, William Halyburton, on 11th October 1626.[3] Of this marriage there was an only son, who died at Elgin in the end of October 1651. William Halyburton predeceased his wife, who married, secondly, Robert Arbuthnot of that ilk, in the county of Kincardine, who was created Viscount of Arbuthnot by King Charles I. in 1641. This marriage took place before the year 1639. The only son of the marriage was Robert, second Viscount of Arbuthnot, from whom the present Viscount is lineally descended. The Viscountess Arbuthnot died on 22d December 1651, and was interred in the family burial-place at Bervie.[4]

Lady Elizabeth Carnegie, the fifth daughter of the Earl of Southesk, married Mr. Andrew Murray of Balvaird, afterwards Lord Balvaird. By their contract of marriage, which is dated in April and May 1628, David

[1] In Mr. Napier's Memoirs of the Viscount Dundee, the mother of the Viscount is inaccurately called Lady Jean Carnegie.—[P. 178.] Lady Jean was the maternal annt of Dundee. Her sister, Lady Magdalene Carnegie, was his mother; and this renders the connexion between Montrose and Dundee all the more striking, that the wife of Montrose and the mother of Dundee bore the same Christian name of Magdalene.

[2] Extract Registered Discharge for Tocher dated 27th May 1627, and recorded in the Books of Council and Session 1st September 1628, at Kinnaird.

[3] Original Sasine at Halyburton.

[4] Balfour's Annals, vol. iv. p. 353.

Lord Carnegie became bound to pay £10,000 as tocher with his daughter Elizabeth.[1] Of this marriage was David, third Viscount of Stormont, who married another Lady Elizabeth Carnegie, his cousin-german, by whom he had several children, of whom the eldest son, David, fifth Viscount of Stormont, was father of William Murray, first Lord Mansfield.

When in the eighty-first year of his age, David Earl of Southesk made at Kinnaird, on the 6th of May 1656, his latter will, which contains the following preamble:—

> I, Dauid, Earle of Southesk, etc., being both in health of body and sound and perfect in judgement and memorie (albeit of a great age), blessed be God! Knowing nothing to be more certane then death to all the posteritie of Adam, and nothing more vncertaine then the tyme and place thairof, doe make my Latter Will and testament as efter followeth:—I recomend my soule to God, hopeing to be saved in the only merits of Jesus Chryst my Saviour and redeemer, and craves that my bodie (when it pleases God to call vpon me) be buryed in the buriall place of my fathers, within tuo or three dayes efter my deecase, without ony solemnitie or cerremony. and I nominat my eldest Sonne, James Lord Carnegy, my only exeeutour, and leaves to him all my moveable goods and gear whatsomever.[2]

The Earl of Southesk lived after the making of this will nearly two years, having died at Kinnaird about the 27th of February 1658, at the age of eighty-three. In his will he desired his body to be buried in the burial-place of his fathers, within two or three days after his death, without any solemnity or ceremony. According to Lamont, the Earl was buried on the 11th of March 1658.[3]

[1] Two Discharges of Tocher, dated 31st May and 9th November 1628, at Kinnaird.

[2] Original Will at Kinnaird.

[3] Diary, p. 105.

XII. James Second Earl of Southesk, 1658-1669.
Lady Mary Ker, his first Countess, 1629-1650.
Janet Adamson, his second Countess, 1661-1683.

David Lord Carnegie, the eldest son of the first Earl of Southesk, having predeceased his father without male issue, the Southesk titles and estates were inherited, on the death of the first Earl in 1658, by his second born but eldest surviving son, James Lord Carnegie. After the death of his eldest brother, he received by courtesy the title of Lord Carnegie. His father previously provided him to the estates of Craig and Rossie, in the county of Forfar, and he was for some time designated Sir James Carnegie of Craig.

Like his father, Lord Southesk, James Lord Carnegie took an active part in the civil and religious controversies which then occupied the attention of the country. As already mentioned, he was chosen Commissioner by the Presbytery of Brechin to the famous Glasgow Assembly of 1638, when his commission was keenly disputed by his brother-in-law, the Earl of Montrose, and the party with whom he then acted. The commission, however, was finally sustained; and when Hamilton, the Royal Commissioner, left the Assembly, Lord Carnegie and his father and his uncle, John Carnegie of Ethie, afterwards Earl of Northesk, Commissioner from the Presbytery of Arbroath, were amongst the small minority who voted against the continuance of their sittings.[1] He also declined to subscribe the Covenant, but adhered to what was termed the King's Covenant.[2]

In the following year, James Lord Carnegie was more active in assisting his brother-in-law, Montrose, and his Covenanting friends. He became a commander in Montrose's army on his first expedition to the north to enforce the adoption of the Covenant by all recusants; and he was one of those nobles and commanders who, on 30th March 1639, sat down on the links near Aberdeen, Montrose himself being amongst them, and who of their own provisions, with a servit on their knees, took breakfast, whilst their army, 9000 strong, encamped around them.[3]

[1] Gordon's History of Scots Affairs, Spalding Club edition, vol. ii. p. 5.

[2] *Ibid.* vol. i. p. 109.

[3] Memorials of the Troubles in Scotland and England, by John Spalding, Spalding Club edition, vol. i. pp. 153-155.

When the army of the Covenant, commanded by General Leslie, set out on their more important expedition to England, Lord Carnegie accompanied them with his regiment. He crossed the Tweed with them on Tuesday the 18th of August 1640; and when, on Thursday of the following week, the Covenanting army crossed the Tyne at Newburnford, and fought and gained the battle of that name, his regiment guarded the baggage on the opposite side of the river.[1] A few months after this battle, Sir Robert Moray, who was a favourite of King Charles I., and who was afterwards nominated to the office of Lord Justice-Clerk, wrote the following letter to Lord Carnegie, giving an account of the trial of the Earl of Strafford:—

My Lord,—Monday last was spent by the Parliament in reading the Deputye's accusatiou in Westminster Hall, the King, Queen, Prince and Princesse &c being present in a by roome looking through a tirliee. He desired continuation: but the Lords his peeres (being his onely iudges while the lower house are speetatours) as they were retiring for a private consultation to a plaee neare that, where the King was, they were by him solieited; but at their returne allowed him no delay, although at the meeting the tirliee that hid the King was thrust down, that it might be seen he heard the votes. It is said his proees will not end yet these 3 weekes. He iested privately that it could not be for love to his sone that the Parliament desires to have his head. Our mouey is hereafter to come by sea, at our Commissioner's desire, paying one per eentum for insuranee, beeause the King's sogers threaten that they will no more lett our moueys passe, seing the Parliament eares more for us then for them. Mr Pimme aeeuses the Deputy in name of the House of Commons. One of the Lower House was brought in as a witnesse for elearing the Deputy of a point of his eharge. Mr. Pimme alledged that seing the deputy is aeeused by the whole House, whereof he is a member, he ean not witnesse for him. Hereupon the gentleman was presently put out of the House. Our Parliament is prorogued till May 25. The King will give no shorter day, beeause, he sayes, he ean uot see how our treatty eau sooner end; and he will not eome nor send a Commissioner to our Parliament till our army be returned and dissolved. The Portagall embassadour is reeeaved. General Ruthuen is taking on with him. In Franee the masse is trauslated into Freneh. In Spaine the Inquisition is ordained to diseover both the aeeuser and his aeeusation to the party aeeused. Amsterdam protesteth against the priuee's mariage. Mysteries I have uoue to tell you, save that Babylon is neare an end: and that Trequaire stands neare the Deputy upon the

[1] Memorials of the Troubles in Scotland and England, by John Spalding, Spalding Club Edition, vol. i. pp. 331-335; Balfour's Annals, vol. ii. p. 384. The dates mentioned by Spalding are followed.

stage and whispers to him, and that he alledges that Scotland thinkes (id est Maek All. M.) it will never be well as long as there is a Stewart in it. That's not his way to thryte. I tell yow all I remember, and only pray yow to remember your

R. Moray.

New Castle, 28 March 1641.

For the Lord Carnegy my noble Lord.

Mr Archibald Sydserfe is desyred to addresse this as it is directed.[1]

In 1644 Lord Carnegie joined the second expedition against the city of Aberdeen, which still refused to submit to the authority of the Estates and leaders of the Covenanters. When the Lord Burleigh and Lord Elcho, with the men of Fife, appeared before the walls of Aberdeen in May 1644, Lord Carnegie with the Earl of Kinghorn headed the Angus men, and his Lordship appears to have remained in Aberdeen till the 1st of June following.[2]

Lord Carnegie and Lord Lour were nominated by the Estates of Parliament, on 19th July 1644, two of the Commissioners for the northern business in supplement of the committee appointed by the Convention of the Estates in 1641.[3] These Commissioners, or any nine of them who were appointed a quorum, were to be a Committee of Estates to proceed to the north, and to assume the government of the forces left there, to summon before them all malignants, to raise forces, to demolish and raze the houses, castles, towers, and forts of the chief actors in the Rebellion, whose names and houses were Auchindoun, Kellie, Geight, Drymmin, Tippertie, Schetin, Leggatsdon, Craig of Auchindoir, Whitehouse of Brize, the Tower of Drum,

[1] Original Letter at Kinnaird. Bishop Burnet, in the History of His Own Time, gives Sir Robert Moray the highest character. He says that 'he was the most universally 'beloved and esteemed by men of all sides 'and sorts of any man I have ever known 'in my whole life. He was a pious man; 'and in the midst of armies and courts he 'spent many hours a day in devotion. He 'had gone through the easy parts of mathe-'matics, and knew the history of nature 'beyond any man I ever yet knew. . . . 'He had an equality of temper in him that 'nothing could alter; and was in practice 'the only stoic I ever knew. . . . He had a 'most diffused love to all mankind; and he 'delighted on every occasion of doing good, 'which he managed with great discretion 'and zeal. He had a superiority of genius 'and comprehension to most men, and had 'the plainest, but withall the softest, way 'of reproving chiefly young people for their 'faults, that I ever met with.'—[Oxford edition, 1823, vol. i. pp. 101, 102.]

[2] Spalding's Memorials of the Troubles in Scotland and England, vol. ii. p. 353.

[3] Acts of Parliament, vol. vi. p. 119.

Cairnburroc, Craighouse in Rosse, Buckie, Whitehouse of Cromar and Logic, Aboyne and such like houses as they should think fit; and also to hold Justice Courts, and to punish by death.

Four months after Lord Southesk had been called before the Committee of Estates to answer in reference to his grandson, Robert Graham, eldest son of Montrose, as already shown, Lord Carnegie was required to become cautioner for James Graham, another of Montrose's sons. This youth was imprisoned in the Castle of Edinburgh by the Committee of Estates; and when the plague appeared at the Castle in 1645, a petition was presented to the Committee of Estates, after several deaths had occurred, to liberate him. On the 7th of August an Act was passed requiring that he should be delivered to the Earl of Dalhousie, who was married to his aunt, Lady Margaret Carnegie, to be educated; and Lord Carnegie became cautioner for his good behaviour, under the penalty of forty thousand pounds.[1]

In the years 1647 and 1648, Lord Carnegie was appointed by Parliament a member of the Committee for War for the shire of Forfar. He was also appointed in the latter year colonel of the horse raised in the shire of Forfar.[2]

But though thus far participating in the movements of the Covenanters, Lord Carnegie was a true loyalist; and he supported King Charles I., who relied on the fidelity of his lordship. When the King, on the troubles of the country becoming alarming to him, wished to know the true state of matters in Scotland, Lord Carnegie was one of those from whom he hoped to receive full and correct information on the subject, and he desired that letters of safe-conduct should be granted to his lordship and others to repair to England for that purpose. These, however, the Lords and Commons refused to grant, on the professed ground that his lordship was then a prisoner in England; but the real cause of their refusal was that his lordship, being a wise and moderate man, and well disposed towards his Majesty, was not likely to propose or to abet measures strong enough to meet the wishes of the more violent leaders of Parliament.

[1] Montrose and the Covenanters, by Mark Napier, Esq., vol. ii. p. 417.

[2] Acts of Parliament, vol. vi. pp. 278-296, 312, 313. On 14th March 1651, the Parliament ordained a warrant to be directed to Lord Carnegie for transporting the three sojouris who were imprisoned in Montrose to Edinburgh, and for bringing information from the ministers anent them concerning the abusing and forcing of a woman.

After his second visit to Aberdeen, in 1644, the proceedings of Lord Carnegie cannot easily be traced. It appears, however, that his loyalty had induced him to withdraw gradually any active support he had given to the Covenanters, and it also appears that in the year 1649 he had become a prisoner in England, under Cromwell. At a council of war some discussion arose as to the irregular manner in which a pass had been granted by Cromwell's officers to Lord Carnegie, to enable him to go abroad. The following is the account of the discussion in the council of war on the subject :—

At a full Council of War in Whitehall, a business was examined about counterfeiting Lieutenant General Cromwell's hand and seal in certain protections for malignants and papists. One Captain Mitchell, some time a famous agitator, and great head piece amongst the Levellers, though now also a solicitor of delinquents' causes, at Goldsmiths' Hall, used to get from the Lieutenant General or Mr. Spavan, his late Secretary, protections for delinquents that have compounded to secure them against plunder of the soldiers, and the said Captain Mitchell's servant, one Gairie, a papist (and as some think a priest). Captain Mitchell confessed he knew him to be a Papist when he entertained him : being employed between him and Mr. Spavan to fetch the papers, the intercourse grew on to that frequency and confidence, that Gairie, as he confessed, received from Mr. Spavan, in the whole about 80 or 100 passes and protections, sealed with the Lieutenant General's seal, and his name subscribed to them, some of them being blanks, and some for passing beyond sea ; for which Mr. Spavan had 5s. a piece, and Captain Mitchell, or his servant, made of some of them 10s., 20s., or sometimes 40s. a piece ; others to friends (perhaps Jesuits, &c.) were given for nothing. But Mr. Spavan being (principally) upon the occasion of falsifying the Lieutenant General's hand and seal to a pass for a dangerous Scots prisoner, the Lord Carnegy, put out of the Lieutenant General's service, and the aforesaid traffic thereby failing, the Papist servant to Captain Mitchell (as himself confesseth) got a counterfeit seal made like the Lieutenant General's, and put the same and his name to passes and papers of that nature and so fitted friends, and put off some for money : and when there has been such traffic as this, no wonder if reports and aspersions have been raised, and laid on the army and officers of the army, as protectors and countenancers of Papists and Jesuits, who they abhor ; and the nation may now see how by such Jesuitical tricks and abuses as these, they have been wronged. For 50 l. shared between Mr. Spavan and Mr. Lilly, a pass was procured for the Lord Carnegy his coming to London upon his parole, and 200 l. being offered Mr. Lilly to procure a further pass for his going beyond sea, upon bond not to return into England or Scotland within a certain time. Mr. Spavan did the business himself, and it is supposed had the whole profit : took a bond in the Lieu-

tenant General's name for his Lordship's being in nature of an exile for a year, and gave him a pass, with the Lieutenant General's hand and seal upon it to go beyond sea without the knowledge or consent, nay, against a charge to the contrary of the Lieutenant General; which thus appearing to the Council of War, they sentenced Mr. Spavan to ride on horseback from Whitehall to Westminster, and thence through the city with an inscription on his back and on his breast written in capital letters, to signify his crime.[1]

At the time of the execution of Charles I., in 1649, Lord Carnegie was in Holland, and on the 15th of May 1650, he and many other noblemen and gentlemen were discharged from coming home without license from the Parliament.[2] He returned before August 1652, when he and several other noblemen were chosen at Edinburgh Commissioners for Scotland for negotiating with the English Parliament a treaty of a complete union between the two nations. They proceeded to London, and met with the English Parliament, but they soon returned, having done little or nothing for the accomplishment of the object of their mission.[3]

Lamont in his Diary records that, on 15th July 1657, Cromwell was proclaimed Chief Magistrate of the three kingdoms over the cross of Edinburgh; and that the Marquis of Argyll, Lord Carnegie, and others, were present at the cross during the whole time of the proclamation.[4]

In February 1658 Lord Carnegie succeeded his father as Earl of Southesk. On the 11th of May following, he was served heir to his brother, David Lord Carnegie, in the lands of Farnwell and others.[5] On the 22d of the same month Oliver Cromwell granted a precept for infefting Earl James in the lands and barony of Kinnaird and others.[6]

Between two and three years after his Lordship had become Earl of Southesk, an unhappy accident occurred, which caused the death of his intimate friend, William Master of Gray. The Master was the son of William Gray of Pittendrum, who was the most successful merchant in Edinburgh of his day. The Master married Anne Mistress of Gray, daughter of Andrew seventh Lord Gray. William Master of Gray raised a regiment chiefly at his own expense. That regiment he commanded

[1] Cromwelliana, by Michael Stace, Westminster, 1810, page 61.
[2] Lamont's Diary, p. 17.
[3] *Ibid.* p. 46.
[4] Lamont's Diary, p. 99.
[5] Original Retours at Kinnaird.
[6] Original Precept, *ibid.*

in the army of King Charles II., at the battle of Worcester in 1651. Lord Southesk and the Master of Gray were both expert swordsmen. After a convivial meeting near London, in the end of August 1660, whilst they were fencing with their swords, with no intention to injure each other, the Earl of Southesk had the misfortune to inflict on his friend a mortal wound, of which he soon died.[1]

The editor of Lamont's Diary, in which this accident is called a duel, gives some Kincardineshire traditions of this Earl of Southesk. He says that he was an expert swordsman, and that vulgar fame attributed his skill in this and other sciences to the gift of supernatural power. In the traditions of Mearnshire he is said to have studied the *black art* at Padua, a place once famed for its seminaries of magic. The devil himself was the instructor, and he annually claimed, as the reward of his tuition, the person of a pupil at dismissing the class. To give all a fair chance of escape he ranged the class in a line within the school, and, on a given signal, all rushed to the door, the devoted victim being he who was last in getting out. On one of these occasions Sir James Carnegie was the last, but having invoked the devil to take his shadow, which was the object last behind, instead of himself, the devil, caught by the *ruse*, seized the shadow in place of the substance. It was afterwards remarked that Sir James never had a shadow, and that, to hide this defect, he usually walked in the shade.[2] Sir James, according to the same authority, was noted for his parsimony; which gave rise to the following sarcastic lines, written on the occasion of some depredations being committed on his property :—

> 'The Laird of Pittarrow, his heart was sae narrow,
> He wadna let the kaes pyke his corn stack;
> But bye there eam knaves, and pykit up thraives,
> And what said the Laird of Pittarrow to that!'[3]

[1] Information from the present Lord Gray of Gray, whose father informed him of the circumstances.

[2] His portrait at Kinnaird is marked by the strongest contrasts of light and shade! There is a tradition that at Earl James's death the devil carried him away in a coach and six and plunged with him into a well near the family burying-ground. The adjoining valley is universally known as the 'Deil's Den,' and it is said that on stormy nights the Earl sometimes drives past his former home in the equipage provided for him by his diabolical acquaintance.

[3] Lamont's Diary, pp. 68, 126.

Although these lines are considered by the editor to refer to the second Earl of Southesk, it is certain that they could not apply to him, as he never possessed the estate of Pittarrow. His two younger brothers, Sir John and Sir Alexander Carnegie, were successively lairds of Pittarrow, the latter for many years; and it is possible that this specimen of local wit may relate to one of them, if it does not refer to one of the lairds of the Wishart family, who were the proprietors previous to the Carnegies.

After the Restoration, Earl James was made a Privy Councillor. He also obtained a regrant of the sheriffship of Forfarshire, the letters-patent including him and his son, Robert Lord Carnegie, for their joint lives. The office was originally granted by King Charles I. to James Lord Carnegie for life.[1]

At the first Parliament of King Charles II., held on 1st January 1661, Lord Southesk was present, and under the Act passed on 29th March that year, for raising an annuity of £40,000 on behalf of his Majesty, he was one of the Commissioners appointed for Forfarshire.

In that Parliament an Act was passed on 12th July, authorizing him to uplift the rents of the lands of Lochaber and Badyenoch for the payment of a year's annualrent of £58,028, 8s. 8d. Scots, for which his father, David Earl of Southesk, was security for George Marquis of Huntly, as tocher and arrear of interest with his daughter, Lady Ann Gordon, afterwards Lady Drummond.[2]

In the last Parliament in which Lord Southesk sat, in October 1669, he and the Earls of Dumfries and Wemyss protested that the calling of the name of the Earl of Loudoun before theirs should not prejudge their precedency to him, since they had been several years earls while he was only a baron.[3]

James Earl of Southesk married, first, Lady Mary Ker, Lady Pitcur, daughter of Robert Ker, first Earl of Roxburgh, and relict of James Haliburton of Pitcur. Their contract of marriage is dated the 18th and 21st February 1629. His lordship, then Sir James Carnegie of Craig, was bound to infeft Lady Mary in liferent in the lands of Craig, and also to

[1] Original Warrant, dated 9th April 1643, at Kinnaird.

[2] Acts of Parliament, vol. vii. pp. 3, 94, 337, 446, 527, 548.

[3] *Ibid.* p. 551.

provide himself and her, and the heirs of their marriage, to all lands acquired by him during the period of their married life; and his father, Lord Carnegie, became bound to acquire lands in Forfarshire, valued at fifty chalders of victual, and to infeft therein Sir James and the heirs of the marriage. Lady Mary Ker was bound to pay to Sir James 24,000 merks of tocher.[1] Of this marriage there were one son and two daughters:—

1. Robert, who became third Earl of Southesk.
2. Lady Jane Carnegie, who married, first (contract dated 14th June 1647), James Murray, second Earl of Annandale, only son of John Murray of Lochmaben, sometime of the Bedchamber of King James VI., and afterwards created Earl of Annandale. Of this marriage there was no issue. The second Earl of Annandale made his last will and testament at Westminster on 28th December 1658. It bears that he was then 'sick of bodie,' yet perfect in judgment and memory. He bequeathed to his wife, Jane Countess of Annandale, the value of his whole personal estate in England and Ireland, and his moveable estate in Scotland. He ordained his body to be buried in the parish church of Ruthwell. The Earl died on the same day on which he made his will.[2]

   His Countess did not long remain a widow. The successor to him in the title of Viscount of Stormont, who was David second Lord Balvaird and fourth Viscount of Stormont, was married to the Countess in less than a year after the death of her husband. Their contract of marriage is dated 14th July 1659, and the nuptials were celebrated on the 9th of the following month. By the contract, the Viscount became bound to infeft Lady Jane in liferent in the lands of Nethill, Kilgour, the Mill of Strathmiglo and others united into the barony of Drumduff, in the county of Fife, and he was infeft on 28th July 1759.[3]

Of this marriage there were a son, David fifth Viscount of Stor-

[1] Original Contract at Kinnaird. Printed in Minutes of Evidence of Southesk Peerage, p. 38.

[2] Certified Copy Will at Kinnaird. His titles of Earl of Annandale, Viscount of Annand, and Lord Murray of Lochmaben, became extinct. The titles of Viscount of Stormont and Lord Scone were inherited by David Murray, second Lord Balvaird.

[3] Original Sasine at Kinnaird.

mont,[1] and two daughters, Catherine, who became Countess of Kintore, and Amelia, who died unmarried.

3. Lady Catherine Carnegie, who married Gilbert Hay, Earl of Errol, on the 7th of January 1658. The marriage feast was held in her grandfather's castle of Kinnaird, and her tocher was fifty or sixty thousand merks.[2] Of this marriage there was no issue. At the time of her death, in October 1693, she was chief governess to James Prince of Wales at St. Germains in France, where, according to Martin, she died, to the great grief and loss of many loyal subjects.

Lady Mary Ker, Lady Carnegie, died at Leuchars in April 1650, whilst Lord Carnegie was in Holland.

James Earl of Southesk married, secondly, Dame Janet Adamson, about the year 1661. On the 9th April that year she was infeft in liferent in the lands of Leuchars and others, on precept by her husband.[3] Of this marriage there was no issue. Earl James died of a malignant fever at Kinnaird, in March 1669. Countess Janet died in the parish of Dundee, in the month of June 1683. Her testament-dative was confirmed 27th October 1687, and her brother James and her sister Elizabeth were decerned executors as nearest of kin to her.[4]

[1] The fourth son of David fifth Viscount of Stormont was the Honourable William Murray, afterwards created Earl of Mansfield, who was consequently a grandson of Lady Jane Carnegie, Viscountess of Stormont. An anecdote is told of the Earl of Mansfield, when he was a young barrister, and the celebrated Sarah, Duchess of Marlborough, which illustrates the early promise he gave of his future fame. Her Grace having heard Mr. Murray plead a case, was so struck with his eloquence, that she resolved to retain him as her counsel in any law case in which she might afterwards be engaged. She called on Mr. Murray, but missing him, was so determined to secure an interview with him that she waited at his house in her carriage from five o'clock in the afternoon till past midnight. When Mr. Murray came home, his servant told him of the lady visitor, who declined waiting for him in the house. She had not given her name, but the servant assured him that she was a lady of quality, because she *swore*. She gave the young barrister a special retaining fee of 1000 guineas, with an earnest advice not to absent himself from his chambers, by staying so late in supping with his friends, which might risk the loss of clients. Mr. Murray profited by the advice, and kept better hours in future.

[2] Lamont's Diary, p. 104.

[3] Original Instrument at Kinnaird. Printed in Minutes of Evidence of Southesk Peerage, p. 41.

[4] Commissariot Records of Brechin. Printed in Minutes of Evidence of Southesk Peerage, p. 46.

XIII. Robert Third Earl of Southesk, 1669-1688. Lady Anna Hamilton, 1660-1695.

Robert third Earl of Southesk was served heir to his father in the earldom of Southesk on 5th May 1669. The retour bears that Earl James died on the 19th of February preceding.[1]

After receiving at home an education suitable to his rank and position, Robert Lord Carnegie travelled much in France and Italy and other continental countries, and was received with distinction by all the foreign princes and nobles whom he visited. Louis XIV. made him captain of a company of his Scots Guards, by a commission under the royal hand, dated at Chantilly, 24th June 1659.[2]

Having returned home, Lord Carnegie, shortly before succeeding his father, had a serious personal encounter with George third Earl of Linlithgow, which appears to have originated in some dispute about a race which was run at Cupar in April 1666.[3] At the close of the race they dined together, and a misunderstanding having arisen between them, they unfortunately resolved to settle it by an appeal to the sword. They fought at night, on the hill towards Tarvet Broom. After long fencing, Carnegie gave his opponent a severe wound. So fierce was the encounter, that several of the noblemen and others who were present, whilst endeavouring to separate the combatants, narrowly escaped serious injury to themselves. The Earl of Wemyss, in attempting to ride between them to put a stop to the combat, had both his own horse and his servant's killed by the swordsmen. Another horse, belonging to Lord Melville, suffered seriously, and one of Lord Newark's servants was trodden down and injured. At last the combatants were put under arrest in their several quarters at Cupar, by Rothes, the Royal Commissioner, and Lord Carnegie was soon after entered prisoner in

[1] Original Retour at Kinnaird, also Retour of General Service of Robert Earl of Southesk, printed in Minutes of Evidence in Southesk Peerage, pp. 47-56.

[2] Original Commission at Kinnaird.

[3] The races lasted several days. A horse belonging to the Earl of Rothes, the Royal Commissioner, ran the principal race on the 10th April, and gained a large silver cup, and Lord Carnegie and the Earl of Linlithgow were present at a race of less importance on the 12th.

the Castle of Edinburgh.[1] It is presumed that he was soon liberated without farther trouble, as no trace of subsequent proceedings against him remains.

When unjustly treated by his friends or relatives, or when he considered himself to be so, Earl Robert appears to have been capable of repelling the injury with much spirit. The following letter which he wrote to his cousin, the Earl of Traquair, who had imputed to him certain failings, affords a specimen of this trait of his character; while defending himself, he claims the credit of having shown 'a great deal of good nature' under circumstances sufficiently trying to his temper:—

Kynnaird, August 19th [c. 1675].

My Lord,—All the particulars eontained in yours I answered by a lettre, to quhilk the Lord President two dayes agoe who, att my Lady your Mother's desire, wrote werie fullie to me about that affaire, and I had done it sooner eould I hawe had the opportunitie to meet with my Lawyer, and I hope you will pardon my remitting your Lordship to the President, least that it being mattre of law, I may marr the taile in the telling. My Lord, I doe not att all looke on my selfe as guiltie of the faileings you are pleas'd to loade me with; on the eontraire, I may werie justlie turne the eanon, for the disapointments I dide meet with att Vitsunday last did far exceed any I ether did or eould hawe eommitted, as the Instruments taken will elearely make appeare: and I doe witnes a great deale of good nature, that after all this I should hawe eondeshended so farr as I hawe to the President, when it was in my powre to hawe done otherwayes; and albeit I hawe not reeeawed these suitable returnes from the familie whieh my Grandfather and father's kyndenesses may justlie ehalenge; yet I will let the world see how willing I ame to appeare, at all occasions.

Your Lordship's most humble servant,

Southesque.

For the Earle of Traquaire.[2]

Although Earl Robert never occupied a prominent position in public affairs, he attended in his place in the Parliament of Scotland, and took part in the ordinary business of the country which engaged its deliberations. He was present in Parliament in July 1670, in June 1672, in November 1673, in 1681, and almost every year following till his death, which took place seven years after.

He was chosen a Commissioner in the shires of Forfar, Fife, and Kincardine, for raising the new voluntary offer to his Majesty of eighteen hundred

[1] Lamont's Diary, pp. 187, 188.

[2] Original Letter at Traquair.

thousand pounds Scots, which was granted by the Convention of Estates in 1678;[1] and he was also appointed colonel of the militia of Forfarshire, by Commission from King Charles II., dated 2d December 1669.[2]

The office of Sheriff of Forfarshire was conferred on him and Charles Lord Carnegie, his son, by a new grant, dated 29th April 1682.[3]

Robert Earl of Southesk, in the lifetime of his father, married Lady Anna Hamilton, eldest daughter and co-heiress of William second Duke of Hamilton, and Lady Elizabeth Maxwell, daughter of James Maxwell, Earl of Dirleton. Their post-nuptial contract of marriage is dated the 5th of July 1664, and bears that they had been previously married. The contract formally embodies the arrangements which had been agreed on at the time of the marriage. James Earl of Southesk thereby bound himself, his heirs, and successors, to infeft his son, Robert Lord Carnegie and Lady Anna Hamilton, his spouse, in conjunct fee and liferent, for her liferent use only, and the sons of their marriage; whom failing, the sons of Robert Lord Carnegie by any other marriage; whom failing, James Earl of Southesk himself, and such heirs-male as he should appoint, and if no such nomination should be made, Sir Alexander Carnegie of Pittarrow, brother-german to Earl James, and the heirs-male of his body; whom failing, the Earl's heirs-male whomsoever, and failing all these, his heirs whomsoever, in the lands of Colluthie, the baronies of Leuchars and Kinnaird, etc.

The portion of Lady Anna Hamilton was £30,000, which was paid to her and her husband by William Duke, and Anna Duchess, of Hamilton, her cousin, and for which Lady Anna granted a discharge to them, without prejudice, however, to her of any benefit which she might acquire from the estate of Dirleton in Scotland, or from the lands of Guildford in England, or from any other lands which had belonged to the deceased Earl of Dirleton, her grandfather, the deceased Countess of Dirleton, her grandmother, and to the deceased Duchess of Hamilton, her mother. Lady Anna also reserves her right to the jewels which had been left to her by her mother, grandfather, or grandmother.[4]

[1] Acts of Parliament, vol. viii. pp. 3, 55, 208, 226, 231.

[2] Original Commission at Kinnaird.

[3] Original Grant, *ibid.*

[4] Certified copy Contract at Kinnaird. Minutes of Evidence in Southesk Peerage, p. 48.

Anna Countess of Southesk, although the eldest daughter and co-heiress of her father, William second Duke of Hamilton, did not inherit any of his titles of honour. He was, first, Lord William Hamilton, as the second son of James second Marquis of Hamilton. He was afterwards created Earl of Lanark and Lord Polmont, with limitation to his heirs-male succeeding to him in his estates. His other Scottish titles, of Duke of Hamilton, etc., descended to his niece, Lady Anna Hamilton, eldest daughter and co-heiress of his brother, James first Duke of Hamilton, in terms of the patent. His English title of Earl of Cambridge became extinct.

William the second Duke of Hamilton had an only son, James Lord Polmont, who died in infancy. The Duke treated his niece, Lady Anna Hamilton, with the most tender affection. His eldest brother having transmitted not only his estate and honours, but also his personal estate, jewels, plate, and pictures of great value to him the younger brother, Duke William considered himself bound in honour and gratitude to return them to his niece. So desirous, indeed, was he that his niece should enjoy her father's dukedom, that he expressed his satisfaction that he had no sons to deprive her of it, and said that if he had had forty sons, he would rather have wished her to obtain the dukedom than any of them. In this manner Duke William entailed his friendship for his brother on his daughters, who desired Burnet to acknowledge to the world that in him they met with the tenderness of a father, the kindness of a friend, and everything that was generously noble and obliging.[1]

Duke William made his will at the Hague, in Holland, on the 21st March 1650. It was sealed up with a letter to his Duchess, in which he writes that, next to her duty to the King, she is to prefer her duty in the preservation of the house of Hamilton to all things else in this world, and to make no difference in the testimonies of her kindness to it, whether the Lord should think fit to continue the memory of this house in her own or in his brother's issue.

The Duke next recommended to his Duchess the care of the education of their children, and to study to get them acquainted with God in their early years, and to imprint His fear in their tender hearts, to keep all light

[1] Bishop Burnet's Memoirs of the Dukes of Hamilton, pp. 420, 421.

and idle company from them, and to labour to make them rich in piety and virtue, loyal to their King, and dutiful to the house of Hamilton.

He then refers to the presentiments he had of his speedy removal from the earth, of which he speaks as what would be as a mercy from God; and he conjures his Duchess to console herself, in that event, with the hope of a joyful meeting in a better world, being confident that the Lord would bring him to everlasting happiness with Himself in heaven, where He hath already laid up some pieces of himself, little James and Diana.

The Duke survived this testamentary letter upwards of a year. He was mortally wounded at the battle of Worcester, and died on the 12th of September 1651. His successor, Anna Duchess of Hamilton, married Lord William Douglas, Earl of Selkirk, who was created Duke of Hamilton for life. From that marriage the present Duke of Hamilton is descended.

This account of the descent of the Hamilton title has been given here, as in the usual course of things it might have been expected that Lady Anna Hamilton, Countess of Southesk, would have succeeded her father in that title.

Of the marriage of Robert and Anna, Earl and Countess of Southesk, there were two sons:

1. Charles, Lord Carnegie, who became fourth Earl of Southesk.
2. Mr. William Carnegie, born in or about the year 1662, and named after his maternal grandfather, William Duke of Hamilton. He was educated along with his elder brother at the University of St. Andrews, where they both matriculated as students in the College of St. Leonards on 28th February 1677. William Carnegie subscribes his oath of fidelity as a student thus: 'Gulielmus Carnegie comitis de Southesque filius.'[1] After prosecuting his studies at St. Andrews for about four years, Mr. William Carnegie travelled on the Continent. When in Paris, he met William Tollemache, youngest son of Elizabeth, Countess of Dysart in her own right, and Duchess of Lauderdale by her second marriage. At a supper where Lord Carnegie and his brother William Carnegie and Tollemache were present, a misunderstanding unhappily arose between the two latter. By the

[1] University Records of St. Andrews.

intervention of their friends they were reconciled at the time; but the quarrel being renewed later in the evening, swords were drawn, and William Carnegie fell mortally wounded. He died a few days after, namely, on 23d November 1681. On the following day he was buried, in the parish of St. Sulpice. The *Acte de déces* states that William Carnegie, formerly of the Protestant religion, but then converted to the Catholic faith, aged 19 years, died at Paris on the 23d November 1681, in the house of M. Juliet, surgeon, Rue des Boucheries, and was buried the following day. Mr. Francis Burnet, King's councillor, and Patrick de Laualin, an English gentleman, two friends of the deceased, assisted at his funeral.[1]

William Tollemache was tried at Paris for the slaughter of William Carnegie, and the following is an abstract of the exemplification of his sentence, and of the remission granted him by the King of France. It contains Tollemache's own account of the way in which he was the cause of the death of his friend:—

The Procurator-General to the Parliament of France, etc., be it known in reference to the criminal process raised and led in judgement before us, in the Criminal Chamber of the New Castlet of Paris, between Mr. Charles Carnegy, eldest son of the Earl of Southesk, who had resumed the criminal prosecution commenced at the request of the deceased William Carnegy, his brother, prosecutor and complainer, conjunctly with the procurator of the King and William Tallemache, Englishman, prisoner in the prisons of the New Castlet, defender, accused; and in reference to the proces of the said Tallemache, plaintiff, in virtue of letters of remission obtained for him in the Chancery of the Palace at Paris in the month of January last, the said lord of Carnegy defender; and in reference also to the proces of Robert Filders, English gentleman, plaintiff, pursuant to his request of 12 February last, the said Tollemache, defender, by reason of the death of the said late William Carnegy,—that the whole is such as is at greater length contained in the said letters of remission, the tenor whereof follows: Louis, by the grace of God King of France and of Navarre, to all present and to come, greeting: We have received the humble supplication of William Tallemache, aged seventeen years or there about, Englishman by nation, narrating that in the month of September last, Lord Carnegy and his brother having arrived in this town, and having learned the dwelling of the petitioner in the Fau-

[1] Minutes of Evidence of Southesk Peerage, p. 14.

bourg Saint Germain, they went to it, aud haviug seen eaeh other several times, the said petitioner having pereeived that they frequented the said Fielders, that induced him to testify to them as a friend and for their honour, that they should withdraw froui him, as many other Englishmen who had reeognised his bad eouduct had been obliged to do, being a passionate and violent man capable of all sorts of enterprises, who had been compelled to leave England for wicked conduct; but the said Carnegys, instead of profiting by so good an advice, and keeping it secret, had not only eontraeted a eloser frieudship with the said Fielders, but had also exposed the said petitioner, against whom Fielders had theneeforth coueeived so mueh aversion and enmity, that in every ineeting he could not restrain himself from boasting that he would serve hiu right by beating him with sticks, and even had the hardihood to come to find him one day in his chamber with a large stick and a loug sword in order to execute his wicked design, whieh he was prevented from doing only by Lord Duubar, who met hiu there, and to whom the petitioner immediately eomplaiued. And on Thursday 20th November, Lord Valandiu having also arrived in this town the day before, came to see the petitioner, whom he brought to sup with him in his inn Rue de Bouehiries, at the house of one named Hioust, where they found the said Carnegy brothers, aud others, with whom they supped at the same table; and after the repast the petitioner went out of the said inn with the said Caruegys and Valandin, and being almost at the end of the said street, as it were to returu eaeh to his own resideuce, the said Carnegys and Valandin engaged the petitiouer to enter into a public house, where hung the sign Saint Martin, in whieh, some time after they had been served with wine, the said Carnegy set himself to speak in favour of the said Fielders, and to blame the petitioner for having so much despised him, aud as he maiutained what he had said to them before, and that their assoeiating with the said Fielders wrouged them among honest people, the said Caruegy flew into an extraordinary passion against the petitioner, and after the interchauge of some provoking words on both sides, the said Caruegy struck a blow with all his force at the petitioner, aud drew his sword out of its scabbard, and even aimed a blow with it, by whieh happily he was uot struck; the petitioner feeling himself thus insulted, would have given another stroke to the said Carnegy, but not being able, they seized each other by the hair and by their cravates, and having afterwards drawn their swords, the said Valaudiu and the brother of the said Carnegy took them away and separated them, and about a quarter of an hour afterwards, their quarrel beiug euded, their swords were restored to them, then they went all out of the said public house in order to separate, the petitiouer having testified to him that he was glad that the affair was thus fiuished, and passing the street of the Corvo Volant, the said

Carnegy and the petitioner conversing together of indifferent things, and walking some steps before the said Valandin and Carnegy, the brother by an extraordinary passion, and without reason, recommenced the quarrel, and gave the petitioner a blow on the face with his fist, and immediately took his naked sword in his hand, so that the said petitioner seeing himself pressed, drew his sword in order to ward off the thursts he was in danger of receiving, and lest he should be wounded in the right arm, and at that moment the petitioner having inflicted some blows upon the said Carnegy, he was wounded with one of them in the body, of which he remained so much hurt that he died three days after, to the great regret of the petitioner, and although this misfortune had happened by the aggression of the said Carnegy, and by an obstinacy which the petitioner could not comprehend, seeing they had always lived as good friends together, and that in this rencontre he had only done what a lawful defence permitted to a man attacked in order to preserve his life; nevertheless the petitioner had been informed upon and proceeded against extraordinarily by the criminal lieutenant of the Castlet of Paris, which had obliged him to withdraw, and not to dare to show himself without having previously obtained Our letters of grace, pardon, and remission, which We have been very humbly supplicated to be pleased to grant to him: For which reasons, willing to prefer mercy to the rigour of justice, We have acquitted, remitted, and pardoned to the said petitioner, the fact and deed, such as it is above set forth, with all pains, penalty, and corporeal infliction, civil and criminal whatsoever, which by, reason hereof he may have incurred at the hands of the King and justice, and we make void all judgements and condemnations passed against him, etc. Given at Paris in January 1682. . . . Mr. Tollemache was condemned nevertheless in 200 livres of alms that prayer might be made to God for the soul of the said deceased William Carnegy, of which sum, 100 livres were to be given to the Theatin monks, 50 livres to the Cordeliers of the Great Convent, and the like sum of 50 livres to the Bare-footed Carmelites of the Faubourg Saint Germain; in 10,000 livres as civil reparation or damages to the said lord Charles of Carnegy, and at the request of the said Fielders, prohibitions are made to the said Tollemache that he must not injure, wrong, nor speak against the said Fielders upon such pain as shall effeir, etc.[1]

About two years after his sentence in Paris, William Tollemache

[1] Original Exemplification in H. M. State Paper Office, London. Minutes of Evidence in Southesk Peerage, p. 190. From the Lauderdale Papers it appears that the Duchess of Lauderdale had used her influence with peers in France to obtain a remission for her son.

presented a humble petition to King Charles II., praying for his Majesty's gracious pardon for the killing of William Carnegie. The petition sets forth that the petitioner being at Paris in company with William Carnegie, the said William Carnegie, without any provocation, drew his sword upon him, upon which the petitioner, in his own defence, unhappily killed his assailant. The King referred the petition to the Attorney-General, who reported, on 22d January 1683, that this was a proper case for his Majesty, if he so pleased, to grant a pardon. A pardon was accordingly granted, under the Great Seal of England, on 21st February following.[1]

It was proved in evidence in the Southesk Peerage case that William Carnegie died unmarried.[2]

The year before his death, Earl Robert was involved in one of those contests which were then not uncommon in reference to seats in a parish church. In the year 1632, his grandfather, the first Earl of Southesk, acquired from Straton of Lauriston all right which he had to a 'laigh dask' in the church of Fettercairn. Straton, however, had reserved his right to his own loft as long as he possessed the lands of Balfour. When he sold these lands this reservation was made use of by the purchaser, William Burnett, as a pretext for claiming right to all Straton's seats in the church, including the 'laigh dask' sold to Lord Carnegie. On Sunday the 25th July 1686, Burnett collected all his tenants, thirty-three in number, and took forcible possession of the whole seats. For this act he was fined by the Privy Council on 30th June 1687.[3]

Robert Earl of Southesk died at Edinburgh on the 19th of February 1688, and was succeeded by his only surviving son, Charles Lord Carnegie.[4]

Anna Countess of Southesk survived her husband nearly eight years. At the time of his death, she was residing in Paris, from which she wrote,

[1] Original Pardon in Lord Dysart's Charter-room at Ham. Minutes of Evidence in Southesk Peerage, pp. 187-189, 192, 193. William Tollemache was an officer in the navy, and had the command of a man-of-war in the reign of King William. He died of a fever in the West Indies.

[2] Minutes of Evidence in Southesk Peerage, p. 15.

[3] Extract Act at Kinnaird.

[4] Testament-dative of Robert Earl of Southesk, dated 25th April 1688, at Kinnaird.

on 9th March 1688, that she had heard on all hands the news of the loss which she had sustained of a husband whom she lamented as much as he deserved. In the same letter she refers to herself as a poor widow.[1]

Before her husband, Lord Carnegie, succeeded his father as Earl of Southesk, Lady Carnegie was occasionally in trouble about money matters. In the following letter to the Earl of Lauderdale, she urges his lordship to redress her grievances, for which she bitterly blames her father-in-law :—

My Lord,—I know you are so acoustumed to these kinde of importunityes that you wont be surprised with this, and I am so well acquainted with you that I belive I have reson to thinke you will suport one weth as littel impatience from me as any body, not but that I am extremly sensibel of my owne want of merite, the glory onely of being my father's, w[h]ose memory I am sure you will ever owne a kindenes for, is all I pretend to upon his acount. My Lord, I eoniure you immediately to despatch the busnes betwne me and my Lord Southaske, for realy though tis that I am very unwilling, and not at all used to acknowledg that my co[n]ditione is now redused to extremityes, which will not admite of a delay, for my Lord is so unabel to pro[v]ide for me by his father's cruelty, and he, I finde, so determined to ruen us both, if it be in his power, that if it be not desided, I may say to day, I have not whar with all to subsist, nor doe I belive I shall be abell to doe it. Thearfor, my Lord, let me beeg of you not to consider any new pretentions or proposall my Lord Southaske can make, but bring it to that conclutiou I have so long expected, which if you'll doe, I connot imagin whot can put a stope to it a minuite, for the king, I know, has goodnes enough for me [not] to command an extinction of those deseares he is pleased not to thinke unresonabell. My Lord, you'll, I hope, pardon my presing a thing whieh, since 'tis my all, I don't question your desire of performing without it, but I have given you the reson, and my Lord Southaske does now declaire he intends to starve us into a submition which he sees he can noe other way force me to, but I hope you'l indevor to secure me from that by quekly freeing from his persecution,

My Lord,

Your afectionat cosen and faithful servant,

A. H. Carnegy.

For the Earle of Lawderdail, these.[2]

[1] Original Letter at Kinnaird. P. 159, *infra*. Countess Anna figures in the Memoirs of Grammont, and also in Bishop Burnet's History of his Own Time. The story is well known, and need not be repeated. Besides its inherent improbability, Burnet states, of his own knowledge, that Lord Southesk denied the whole story very solemnly.—[*Vide* Mémoires du Comte de Grammont, par le C. Antoine Hamilton. A Londres : Chez Edwards, No. 78, Pall Mall, pp. 148-151 ; and Burnet's 'Own Time,' Oxford edition, 1823, vol. i. pp. 395, 396.]

[2] Original Letter, penes Richard Almack, Esq., Melford, Suffolk.

After her husband's death, Countess Anna continued to reside chiefly in Paris, from which she wrote numerous letters concerning her pecuniary and other affairs. A selection of seven letters from that correspondence, being some of those which she wrote to Mr. Denis of London, apparently her banker there, is hereto annexed. In the first letter, dated 2d January 1686, she writes that she is beginning to form the resolution to end her life in a monastery. In another letter, dated Paris, 14th October 1687, she complains that her coachman is sick in the hands of surgeons upon her charges, and that he had not been able to drive her except twice since she came to Paris, but she thanks God that her horses are well.

The Countess Dowager remained in Paris till the year 1694, when she went to Brussels. She was there in February and May 1695.[1]

She died in Holland in the month of October following. Her body was brought to Scotland, as appears from an account of the expense of bringing it, and for mournings and 'funerals.' Her funeral took place on the 13th of December thereafter, and the branches of her paternal and maternal descent, according to Martine's account of the family of Carnegie, were then blazoned thus :—

PATERNAL.

1. Father, Duke of Hamilton.
2. Father's mother, Earl of Glencairn.
3. Father's father's mother, Earl of Strathmore.
4. Father's grandmother's mother, Earl of Breadalbane.

MATERNAL.

1. Mother, Earl of Dirleton, Maxwell.
2. Mother's mother, Bosson de Podolsko.[2]
3. Mother's grandmother, Murray Earl of Annandale.
4. Mother's grandmother's mother, De Bellen de Podolsko.

[1] Original Discharges by the Countess, dated at Bruxelles, 21st February and 13th May 1695, at Kinnaird.

[2] Elisabeth de Boussoyne married James Maxwell of Dirleton before 1633. He was created Earl of Dirleton in 1646. Her arms are in the Dirleton pew in Dirleton Church, viz., a large cross moline, between four smaller. The Earl's arms, both in the pew and exterior of Dirleton Church, are the Maxwell or Nithsdale cross charged with thistles.

LETTERS OF LADY ANNA HAMILTON, COUNTESS OF SOUTHESK, TO 'MR. DENIS AT HIS HOUSE IN LONG AIKER, NEAR THE GOLDEN STIL, LONDON.'

Janr. the 2d [1686].

I receved your letter, and the bill of a £150 pound, when I had so long expected [£]264. I confes I know not the condition of afaires, for I allwayes am ignorat of my Lords; but I must consider my owne, and I cannot live thus heare: thearfore I shall not reseve my monnie as if I wear obliged when 'tis sent; but I will have it pay'd duely at the too termes as the setelments wear made. In order to that, I have allmost agreed with Mr. Lindsay to put it into his correspondant's hands, and he will pay it me heare; for I have no reasone to belive my lord ever desiares or expects my returne, or sairtainly he would not [do] so many ode things. The coales I resived as a present from my lord, becaves he often tould me he would give me sume for this winter; but if thay must be payed for, when the rest of my munnye comes up I will satisfie Mr. Jonsone; out of this 'tis imposibel. I will writ to the Duke of Hamilton what you desiare; and I would say a great many things to you now, for I have not yet quit desided how I ought to thinke of you. But 'tis to no purpose; since I begine to resolue to end my life in a monestary, I sha'n't need frinds, yet be what you ought, that's stil wished by A. H. SOUTHASKE.

Holy Friday [28 March 1687].[1]

You perhaps wonder very much that I do not write you oftner; but I have been very sick; and since, I have been obliged to wait upon the king and queens, which caused me to miss the last posts. Besides, I have spared no pains to obtain all necessary recommendations for my busiuess, and I am sure you have no reason to complain on that account. . . . and if you do not settle so that I may receive from my rents enough to enable me to live quietly, it is better that I should set out for Scotland myself before your return, in order to conclude every thing betwixt vs; for I see that I cannot expect any thing certain, since these three months past you have not been able to send me one hundred pounds. It is true that I am very tired of the condition in which I am. While I am writing to you I have not a shilling in the house. Nevertheless, I kuow that the king wishes to have justice done to me, and I know not why my business should miscarry. As to what you tell me of the annual-rents, if it be found that the Earl ought to pay me the half, I think it is as just that he should pay me the whole. But it is necessary to concede some thing in order to make an end sooner; and the Earl knew very well that by keeping me in suspense he would reduce me to that necessity. Write to me, I pray you, something that looks like an end, and that may give me a little comfort on that account; for until that be done I shall be always unhappy and incapable of doing any thing here, either for you or for your unhappy friend A. H. SOUTHASKE.

[1] Contemporary translation, from the original in French; both preserved at Kinnaird.

PARIS, Sep. 23th [1687].

I WRIT to you last post, and am so impatient to heare from you that I cannot forbeare writing againe. I tould you then I have a howse taken at the Monestarie of Bel Chase; but I am in great destres for my bed, therefore pray let me know if the goods be comeing, and what I must doc to have them as soune as is posibel, and what hopes ther is of my lady Portland's munny. Any neues will be welcome. The best I ean send you is that we are all well, and so I hope are you. Direct your letters, etc., for me, 'Chez Monsieur le President de la Baroir dans la reu de Tarant, 'proche la Charite Faux bourg, S^t^. Jermin.' . . . A. H. S.

PARIS, 14th October [1687].[1]

I HAVE beeu so busy settling myselfe in my new house, that I had not tyme to write to you last week: but I am very well satisfied with you; and your punctuality is very praiseworthy. All my goods have arrived safely, and at a very good tyme, without the least thing broken or wanting; and I am at home and in good health. I hope that the Lord will grant you the same blessing; for you know that I take a great interest in you, and that without you I should enjoy but little tranquillity in a strange Country. I have been obliged to hire hangings for my antichamber, and I have bought light gray stuff for my chamber: I hire also beds for my servants; for I was forced to purchase a good store of small neccssaries. I have my coachman sick upon my charges in the hands of the surgeons; he hath never been well since I had him; . . . he hath never been able to drive me except twice since I came to Paris. But, thank God! my horses are well, and I shall have money enough to serve me till the day of payment; but you would do me a great pleasure if you would send me a bill of exchange, as soon as you can, payable only when the term shall be expired, which is the 20th of November here. When you shall have rceeived this letter it will be but little more than a month; and if you send it eight days after, you may makc it payable three wceks from that date; that is suffieient. But I am not at ease unless I am assured before my money fall short. . . . Write vnto me every week to ease my mind. It would be very fortunate if my lady Portland's money should come to supply all that a new house-keeper hath been obliged to pay out; but the next quarter I shall not be in so great nced. Let mc know if you have sent my letter to Mrs. Grosvener; and beeause Belle Chasse is very far from the port house of England, and the letter earriers have only me in that quarter —the president Labarois being in the country—my letters may be lost, I send you another address very sure. Write to me at Monsieur Du Mont, prebender in the St. Opportun Cloistre, at Paris; and believe that I am, with all my heart, your faithful friend.

A. H. SOUTHASKE.

[1] Contemporary translations of this and the three following letters at Kinnaird. The original letters in French are also there.

Paris, Dec. 16 [1687].

It is true I am not in a condition to spend money foolishly; but in a foreign country I cannot dispense with the carriage of letters, and I find them very necessary for my quiet. Since I have not wherewithal to live one day after the quarter is due, if you fail me, what will become of me here? Though it be only to tell me that you are in good health, and that I have nothing to fear, I wish to have news from time to time. I have been rather unwell for some days, and am still indisposed with a headache, which hath prevented mee from carefully examining the account of the money of this last quarter, which you have paid me, being satisfied with the assurance you give me that the next will yield me one hundred and fifty pistoles, and perhaps more, which will make me support with patience the present, although with much difficulty. It is useless to reply to what yon say to me about the risks that you run in my affairs, and to the offers that you make me, if any one else will undertake to manage them. When I left England you were content and I also; since we will be so no longer, I must return; and God's will be done! Upon the whole I do not seek to quarrel with yon, and I expect to receive in your letters rather good news and some consolations in my solitude than such arguments as these. It was not necessary to send the note of Cocus. If I were to die at this moment I remember nothing of it; and for Lefevre, if he pretend to more than fourteen pounds it is a falsity; therefore I would maintain the suit and the charges rather than suffer every body to impose upon me. I never counted to live here upon less than you are engaged to pay me by our last agreement. How then can I out of that give anything to satisfy old debts? the one I did not know of, and the other may wait a little longer, since I promise you that the first money that I can obtain, the quarter payments excepted, I shall pay at the rate of fourteen pounds: for as I know that I owe him no more, he will not attain his end so easily. As to what you say of Robins in Scotland, he is a very great rascal: we must see what he can do—no great things, I believe: but you have been too favourable to him, and it is that which has led to these consequences. I do not comprehend why the money is not taken out of Mr. Sands' hands or quite lost. You will tell me that I always complain of you, but have I not reason, when, after all the fair promises to solicite the king, yon have not yet delivered to him my letter? You do not tell me whether you have delivered the one I sent you for Mrs. Innis. It is not my bounty but hers that hath caused me so much trouble with that beast of Garlington, who has had an intrigue with one of my footmen: and when I had put him out, she had taken measures for going along with him, with the intention of prostituting herself to all the world as well as to him; but I have taken care to prevent her, because that would have fallen again upon me, seeing she came hither with me, and I will send her into England without further dishonour if I can. I believe Higgins goes away in a few days. I am very well satisfied with the banker for his

payment. I believe he will be always good. I received the one hundred pistoles the twentieth of November, French style. As to Mr. Lefevre, I have told you already that he is mistaken in his account, and I acknowledge only fifteen pounds. The interest would be too much for an apothecary's bill to pay the double, but for fifteen, when I shall draw it from any source except the quarterly payments, upon which I must subsist, I will pay him and Cocus also. I know you spoke to me of it at London lately, and I told you the truth; namely, that I did not know that it was not paid. But I will not dispute with you so small a matter. . . .

A. H. Southaske.

Paris, February 26 [1688].

I have receaved the hundred and fifty pistoles for the quarter of the month of February, and also the packet with the accounts, which I think was not necessary; but since you have the generosity to offer to advance to me the quarter of Whitsunday, keep your word to me, and I shall send you your account signed; for I have been sick, and it is absolutely necessary for me to take a little change of air. I am to occupy a house which the nuns are to secure for me at Chaliot; but I must pay for this, and have some new clothes for my servants. The changing of residence, too, is always expensive. I shall have more need of money this quarter than the next; so I would willingly give the fifty shillings which you mention in order to have ready money at present, that I may order my business the best way I can for the six moneth to come. Send me an answer by the first post.

I am, your faithful friend,

A. H. Southaske.

Paris, the 9th of March [1688].

I have heard on all hands the news of the loss which I have sustained of a husband; whom I lament as much as he deserved. My son hath written to me in a letter of Mr. Dumbar's. Be careful to send him the inclosed; for I have not time to-day to write to Mr. Dumbar. Request the Earl of Southesk to address his letters for me to you. I have received the money of the last bill of exchange, and, if it please God, I shall begin my journey at Easter—tyme and health not permitting me sooner. I need not be at the expense of your son's journey. I thank you for all your cares. I have servants ready to accompany me, and all my measures are taken. If I had not been sick, I had gone immediately; but I must use a little precaution and care to preserve the life of the poor widow who will be always your assured friend,

A. H. Southaske.

XIV. Charles Fourth Earl of Southesk, 1688-1699. Lady Mary Maitland, his Countess, 1691-1707.

Charles fourth Earl of Southesk succeeded his father in 1688. The retour of his service as heir to his father bears that the latter died on 19th February that year.[1] He was born in London on 7th April 1661. With his younger brother, Mr. William, he was educated at the University of Saint Andrews, where they were matriculated as students in the College of St. Leonards on 28th February 1677.[2]

In a letter dated the 24th April 1676, written by John Lord Murray, afterwards Marquis of Tullibardine and first Duke of Athole, in which he describes to his mother his course of tuition at that University, he makes mention of the two Carnegies. The letter is in itself so interesting, that, apart from the allusion which it contains to the studies of Lord Carnegie and his brother, we are tempted to insert it here :—

I think since ever I came heare I was never so long hearing from you, deare Mother, nor I belive I was never so long without writing to you; but I know the reason of both is the want of occasions, which I am very much troubled att; the post that went the last year betwixt this & St. Johnstowns is dead, so I cannot have so many occasions as before; but by all that goes that way I shall write. I belive my dear father goes to Edenburgh to morrow to the counsell, where Mr. Sanders is gone this day with the Bishope about his brother's business. When he comes back I belive he is to be entered to the observatory, & then with my Lord Carnegy & his brother I will fall to the Geomitry & I hope I shall give Mr. Sanders as great reason to commend me as my regent, who, indeed, is a very good young man, & takes so much paines on me that I need no others, & gives me all incouragements; &, indeed, I cannot oft confer with Mr. Johu Hardy, or els I shoud never stur out of my chamber, for he takes more time then ether I am in getting my lessons, or my regent in examining, besides the vexsation it is to me. So I hope my father, nor your Grace, will desire it of me, since I have my lessons to my master. Captaine Carstaires, who came from Dunkell, told me that my brother George was contracted to my Lord Strath-oords daughter. Indeed I was mightilie surprised at it; but as my aunt sayes, I wish the rest of my brother's had no wors luck. It is

[1] Original Retour dated 8th May 1688, at Kinnaird.

[2] Lord Carnegie subscribed the oath of fidelity as a student thus—'Carolus D. Carnegy Comitis de Southaske filius primogenitus.'—[University Records of St. Andrews.]

imposible for me, if I write to my deare Aunt, or to my brother Charles, to rise to morrow, so as to have my lesson, & besides I am very dull and sleepie; so pray, deare Mother, make my excuse to the first, & I know her goodness will pardon me, & I shall have both the letters ready by the next occasion; all the prunellacs that are in this town I have bought, which are prity good, but fill but a litle box, & if I remember you use to love them, & if you do, pray tell me by the next, and they shall be sent. God send my deare father soon and well home, & keep him with you long in good health together, & all my brothers and sisters & relations: So I'le conclude my deare deare mother's most obedient son

MURRAY.

Pray when you please send me some news & the gazets.

St. Andrews, Aprill 24th 1676.

For my Lady the Marquess of Atholl.[1]

Having finished his education at Saint Andrews, Lord Carnegie soon took an active part in public affairs. In 1683 he was appointed by King Charles II. captain of a troop of horse in the Forfarshire militia, which was formerly commanded by his father.[2]

Under the direction of the Privy Council, Lord Carnegie was employed to prosecute various parties in Forfarshire for holding house and field conventicles. The following letter to his father shows how these persons were dealt with:—

MY LORD,—I had given your Lordship an account of these conventicles sooner, but that I thought I could not doe it better than after I had made some inquisitioun about them. I came this day to Forfar, where I mett with the Lairds of Fineven, Balnamone, Guthrie, Powrie younger, Easter Powrie, Cookston, and Balrownie younger. Powrie younger did apprehend four cottars and servants who live in his ground, which are here imprisoned, and other two which he sent to Dundie, with a letter to the provest to secure them, and requireing him to apprehend another (whose name he sent to him), an inhabitant within Dundie. I called the four prisoners here before me this day in a fenced Court, whom I find to be but poor inconsiderable people. For any thing I can find, they are ingenouous; having given upon oath as full a list of all persons present att these conventicles as their memories could serve them, to the number of thirty or therby, the most part wherof wer women. They give account also, that on of the conventicles was in the feilds on Sunday was a fourtenight, att the Ward dyk, within the merch of the Myretoun; and on Sunday

[1] Original in the Athole charter-chest.

[2] Original Commission, dated 10th April 1683, at Kinnaird.

therafter, a house Conventicle att the West Merch, in the house of Thomas Machan, a tennent of Powrie's. They could not give any further account of the preacher, but that he was a little man with a short periwig, a stuff coat, and tartan hose—that he came from Fife, and was brought from Dundie to the place of these Conventicles by on Alexander Milne, in Newbigging (in whose house he stayed dureing the tyme betwext the Conventicles), who and his family is fled with the preacher they know not whither: some call him Mr. John Flint, helstanes, Reid, or Mr. John Ramsay. As the deponents can conjecture, there would have been att the feild Conventicle about fiftie persons, and att the house about sextie, the most part women. The convoy the preacher had wer thrie or four Fife-men,—lustie fellowes. Thir prisoners, and the most part of them they delate, did, both these dayes they wer att the Conventicles, hear two sermons in their paroch church of the Mure-houses, and went more out of curiositie to sie than hear att these conventicles; for they wish they had been lying in a fever that day they went. Upon their confessions I have fyned them, conform to the Acts of parliament, and ordained them to be detained close prisoners after the tenor of these Acts; and further dureing the will of the Privie Councill, wherof I humbly intreat a speedy returne. And as to these whom they delated, I have issued orders for apprehending of them, if possible; and in case they be not apprehended, for summoning of them to appear before me in a Court to be holden here on Tewsday next; after which tyme I shall give your Lordship as full an account as I can; for I doe not intend to come over till I have put a close to this affair, wherof I shall give your Lordship notice from time to time.

I am, My Lord,

Your Lordship's most duetifull son, & most humble servant,

CARNEGY.

Forfar, ij Aprile, 1685.[1]

After the revolution of 1688 Earl Charles, it is said, never appeared at Court. He resided chiefly at his Castles of Kinnaird and Leuchars, where he maintained considerable splendour. He seldom attended in Parliament; and along with several other noblemen he was fined £300 Scots on 10th July 1689 for non-attendance. He was considered a firm, though a prudent and an unostentatious adherent of the house of Stuart. It was, indeed, feared that in August 1689 he would go to the north, and not submit to the new Government. He, however, availed himself of the indemnity, and submitted to the King and Council at Edinburgh in the month of September following.[2] He was among those nobles who took the

[1] Original Letter at Kinnaird.

[2] Melville Papers, pp. 238, 280.

oath of allegiance, and the oath to Parliament in the session of 1690.[1] Having thus made his own peace with the Government, Earl Charles appears to have lent his good services for the purpose of securing the same benefits to his friends. One of these friends, who was confined in the Castle of Edinburgh, and for whom his Lordship was surety, wrote to him from the Castle on 28th June 1692, informing him that the grandees of the Council gave him hopes every day of being set at liberty, but that it was likely enough he would still give his Lordship the trouble of being surety for him, and that he intended to see the Earl at his own house before harvest.[2]

Soon after his succession, Earl Charles appears to have fallen passionately in love with Lady Anne Wemyss. The anxiety which his earnestness occasioned the lady's mother, who thought her daughter too young for marriage, is well portrayed in the following letter which she wrote to a friend :—

My Lord,—The relation I have to your Lordship, besides the esteem and deferance I ever had for you, makes mee judge it my duty to intret your Lordship's advice in a matter of verry great concerne to me. My Lord Southesk has been in sute of my daughter Nanie this pritty while, and I am verry unwilling to disposs of her, she is so young ; so I positively told my Lord Southesk it was needless for him to speak anie more of that matter, since I thought it my daughter's and my interest not to marry her in haste, and I knew all his relations thought it his interest to marry now, so I should wish him happy in another choice. But hee is so earnest to have her, that he offers to take no portion with her, and to give her what joynture I pleass, and which I think most of all,—to waitt the time I shall think fitt to bestow her upon him. I would say nothing to all this till I spoak with her selfe ceriouslie about it, and after I had done soe, I found she thinks her selfe oblidg'd to believe he has a great kindness for her, and more then she can probably expect from anie other ; so she desired me to ask my friends advice in it, and my Lord Airth was the first I spoak to of it ; and since it seems my daughter inclines for this match, which is the reason of my asking your Lordship's advice in it, I hope you will be soe kinde as to give it me frily, and as soon as your conveniency can allow ; for hee is very pressing to have a meeting of friends, that hee may have some assurance that tho' the marriage be delayed, yit her friends and her self may be satisfied. God knows how much this affair has weighted me. I wish I may be directed to do what is most for his glory and my poor childe her advantage.—I am, your Lordship's affectionate sister and most humble servant,

M. W.[3]

[1] Acts of Parliament, vol. ix. p. 109.

[2] Original Letter at Kinnaird.

[3] Original in Melville charter-chest.

The address of the letter is wanting, but there is no doubt that it was written to George, fourth Lord Melville. Lord Melville probably dissuaded the Countess from the match, and the young lady afterwards became the wife of his Lordship's own son, David Earl of Leven, to whom she was married in 1691. Lady Anne Wemyss had a younger sister, Lady Margaret, who was successfully wooed by another Carnegie, and became Countess of Northesk.

In a year or two the Earl got over his disappointment, and in the same year in which Lady Anne became Countess of Leven, he married Lady Mary Maitland, second daughter of Charles third Earl of Lauderdale and Elizabeth Lauder, heiress of Halton in West Lothian. Their contract is dated 15th July 1691, the day of their marriage. The Earl of Southesk thereby became bound to infeft Lady Mary in a liferent annuity of 8000 merks Scots from the earldom of Southesk. He further became bound to resign the lands and earldom of Southesk into the hands of his superior for new infeftment of the same to be made to himself and the heirs-male of the marriage; whom failing, to his other heirs-male in any other marriage; whom failing, to any person or persons whom he should nominate. Provision was also made for the daughters of the marriage. Lady Mary on the other hand assigned to the Earl, as tocher, bonds for 10,000 and 20,000 merks respectively.[1] Of this marriage there were issue one son and two daughters, viz. :—

1. James fifth Earl of Southesk.
2. Lady Anne Carnegie, who was born on 25th June 1694, and died on 27th October 1696.[2]
3. Lady Mary Carnegie, who was born 29th December 1695, and died 3d November 1696.[3]

Charles Earl of Southesk died in his castle of Leuchars on 9th August 1699, and was buried in the old burying-ground of the family, within the policies of Kinnaird, which was afterwards renovated by his widowed

[1] Original Contract at Kinnaird, printed in Minutes of Evidence in Southesk Peerage, p. 58. Claim of Mary Countess of Southesk lodged on Southesk estate on 10th October 1718.

[2] MS. History.

[3] *Ibid.*

Countess.[1] On each side of the gate of this enclosed burying-ground there is a tablet with an inscription. Above the tablet, on the north pillar, the full armorial bearings of the Southesk family are placed. The shield, with the eagle displayed, is still entire, but the crest and supporters have been much broken. On the tablet below these arms is the following Latin inscription :[2]—

Carnegiorum gentis insignia eujus prineeps Carolus Comes Southesquius natus est Londini Anglorum die 7. April : anno 1661 Patre Roberto Comiti Southesque, Matre Anna filia natu maxima atque hærede Gul : Dueis Hamiltonij. Obijt in arce sua Leueharensi, Die 9 Augusti mensis anno ere Christianæ 1699. Hæe Janua extrueta atque ornata est a Maria Metellana ejus conjuge, anno Sal : Hum : 1704.

Above the tablet, on the south pillar, the arms of the Southesk family, impaled with those of Lady Mary Maitland, are placed. The shields are entire, but the crest and supporters are much broken. On the tablet below these impaled arms is the following inscription :[3]—

Charles Earl of Southesque was married on Ladie Mary Maitland, seeond daughter of Charles Earl of Lauderdale, brother and heir to John Duke of Lauderdale, by whom he had a son James now Earl of Southesque, and two daughters Ladie Anna and Ladie Marie Carnegie, whom he survived. These are the arms of the said Charles Earl of Southesque, and Ladie Marie Maitland Countess of the same, who put up thir Coats, and built this gate in the year 1704.

[1] The burial-place is noticed in the Minutes of Meeting of the Tutors of James the fifth Earl, which was held at Kinnaird on 6th October 1699, as then wanting a 'yett' (gate), 'which is undecent.' The tutors authorized it to be repaired, at the cost of £12, which they thought ample, as it was only to be 'plaine work.'—[Original Sederunt Book at Kinnaird.]

[2] Said to have been written by Mr. Robert Dall.

[3] In an old copy of this inscription it is stated to be 'everie word of my Ladies own 'dictating.'—[Original Copy at Kinnaird.] On the same copy it is stated that 'My 'Ladie freqnently declared to verie manie 'that the Gate at the Vault, and the Coats 'of Arms on the sides of it, was a work of 'her own, done at her expense for my Lord 'her hnsband's and her own memorie, which 'cannot be doubted from the foregoing in-'scriptions.' The Earl's lead coffin is above ground in the vault. It bears his initials, C. E. S., and under these an earl's coronet and a spread eagle. These are repeated at the head and towards the foot of the lead coffin. This coffin, which was much broken, was repaired by the present Earl in 1849, at the time of his father's burial. There seems no reason to doubt that this was the burial-place where the 'auld kirk was' in which David Carnegie of Colluthie desired his body to be buried, and in which the mortal remains of the early Carnegies of Kinnaird, from Duthac downwards, were most probably interred.

The branches of this Earl on his 'Great Escutcheon' are as follows:—

Dexter side.	Sinister side.
1. Earl of Southesque.	1. Duke of Hamilton.
2. Earl of Roxburgh.	2. Earl of Dirletoun.
3. Lindsay of Edzell.	3. Earl of Glencairn.
4. Earl of Lauderdale.	4. Bosson de Podolsko.
5. Earl of Weemys.	5. Earl of Strathmore.
6. Duke of Queensberry.	6. Earl of Annandale.
7. Campbell of Caddell.	7. Earl of Breadalbane.
8. Earl of Wigton.	8. Bellon de Podolsco.[1]

An unknown admirer of Earl Charles wrote the following encomium in Latin verse on the virtues and merits of his lordship. It is not a very elegant composition, nor is the language strictly classical, but it throws light on various points in his character, the knowledge of which cannot be derived from any other source:—

In laudatissimam memoriam, generosissimi heroïs nobilissimi, vere probi, et bonis chari comitis, Caroli comitis de Southeske; Gentis Carnegie, principis dignissimi; Qui mortem obiit in Domino, 5to iduum Sextilis, M.DC.XCIX *εγκωμιαστικον*, et in ejus immaturum, et bonis dolendum obitum, *θρηνῳδια* seu elegium funebre.

Primo, de nomine ejus Carolo, cujus etymologia Hebraica est קָרָא vocavit אֵל Deus; Græca autem *κηρὅλος*, totus cordatus aut fortis; pius scilicet, aut fortis.

Carolus, ecce bonum nomen, nomenque bonorum,
Sæpe fuit; fortem, significansque pium:
Nobilis hic heros, nigræ ad confinia mortis,
Fortis erat, necnon vixerat ille pius.

Secundo, de stemmate ejus nobili.

Gentis Hamiltoniæ mater ejus nobile stemma,
Celsa cui longo sirmate prosapia:
Virtutem referens avitam, dignissimus ipse
Gentis qui princeps Carnegiæque foret.

[1] 'The compting was downward and not upward as was usual before.'—[Martine's Genealogy of the Carnegies.]

Tertio, de prædiis et opibus ejus.

Quæ, pater, et proavi, liquerunt prædia magua
  Quamvis et aucta habuit, inter opes humilis.
Divitias curæ comitantur, fastus houores,
  A vanis curis liber at ille fuit.

Quarto, de ejus conjuge dignissima.

Conjugio felix vixit, dignissima coujuux,
  Magua Laderdeliæ stirps quoque celsa domus:
Turturibus similes vixerunt sponsa maritus;
  Nam constaus, mutuus, magnus amorque fuit.

Quinto, de ejus filio et optimæ spei hærede.

Illustris spes magua atque unicus hæres,
  Nobilis ingenii spem dedit ille sui;
Eximiis animum Deus oruet dotibus; illi
  Maturam ætatem detque videre Deus,
Det multam facilem seramque videre senectam,
  Florentem solymam, propaginemque bouam:
Fatales vitæ neut stamina longa sorores,
  Umbras sub sero detque redire Deus.

Sexto, de ejus solitudiue.

Usibus edocto si quicquam credis amico
  Vive tibi, et longe nomina magua fuge,
Vive tibi, et quantum potes, praelustria vitæ
  Ut cecinit Naso, Tristibus ecce suis.
Funecius, ut cecinit, mandato munere fuuge,
  Et fuge seu pestem *την πολυπραγμοσυνην*.
Qui sibi quique Deo vivit, satagitque suorum,
  Felix et vaeuus solicitudiuibus.
Felix qui potuit tranquillam dueere vitam,
  Et lætos stabili elaudere fine dies.
Privatus vixit placide curaus sua rura,
  Mille modos placidi rura laboris habent.

Septimo, de ejus vita innocua.

Innocuus vixit nobis mandata Columbæ
Nota beati qui vivere sicque student.
Pulvere qui lædit, læsus sed marmore scribit,
Damnosus moriens, sed trepidare solet.
Solamen magnum et certum dabit hoc moribundo
Quod damnum nullis intulerisque potens.

Octavo, de ejus genio pacifico et mansueto.

Pacis amans fuerat, mansuetus, tardus ad iram,
Ad veniam facilis: hæc quoque signa probi.

Nono, de ejus justitia.

Fer, Servator, opem, nam justus cessat, iniquus
Floret, teque negat, corde scelus meditans;
Nuda fides hominum fugit commercia; vana
Cum socio blande quisque suo loquitur.
Quod male lucratur, nunquam bene fructificatur;
Nec habet effectus sordida præda bonos.
Congeries lapidum, varijs constructa rapinis
Corruet; aut alter raptor habebit eam.
Heros justus erat, vim nulli inferre studebat,
Nullum fraude premit, cuique suum tribuit.

Decimò, de ejus misericordia erga pauperes.

Pauperis, atque malis oppressi, qui miseretur;
Rebus in adversis, qui dare gaudet opem;
Æger, sit sanus, vivens moriensve beatus;
Audiet hunc Dominus, nec denegabit opem.
Dona eleemosynæ in Christo quicunque ministrant
Merces in cœlis magna paratur ijs.
Cor miserans comiti fuerat, quoque dextra benigna,
Nunquam surdus erat, pauperis et precibus.

Undecimo, de ejus hospitalitate et affabilitate.

Comis, et humanus cunctis, lautissimus, hospes,
Advena pergratus, si modo dignus erat.
Affabilis, mitis minimis, quod nutrit amorem,
Nutrit honorem etiam, magnus amoris amor.

Duodecimo, de ejus pietate erga Deum.

Utilis est pietas, plus quam terrena potestas,
Nam mundus vanitas, vera lucrum pietas.
Fle, si solari, jejuna si saturari,
Da si ditari ; sic utilis pietas.
Exemplum pietatis erat, nihil atque profani
Vel verbo admisit ; nomen et ille Dei
Sacrum habuitque, suo solito sermone proferre
Auditus nunquam est, impius utque solet.
Doctrinam puram, cultum purumque tenebat,
Norma fidei verbum Dei fuit atque morum.
Neve minus Domini cultum observare solennem,
Esse loco studuit, est honor ubi Dei.

Decimo tertio, de ejus perseverantia in dogmate suo bono et recto.

Semper amans veri sua mens, sermoneque flecti
Fucato haud potuit, nec phalerata quibant
Verba movere animum ; Dei viva et eloquia norma,
In finem stabilis, perstitit atque fide.

Decimo quarto, de ejus amore et observantia erga literatos, speciatim ministros verbi.

Mæcenas doctis, speciatim vero ministris
Verbi, pacis amans, ordinis atque fuit.

Decimo quinto, de brevitate vitæ et felicitate exitus

Ille vidisse fuit dignus vel Nestoris annos ;
Sæpe brevis vitæ cernimus esse bonos,
Ille novem vix lustra vidit, spatium brevis ævi,
Si fas sit vitæ de brevitate queri.
Sat vixit bene qui vixit, tempus male lapsum
In vanum lugeant vel revocentque mali,
Omnes namque boni, vitæ sinceriter actæ
Præmia, securi non peritura tenent.[1]

[1] Original at Ethie.

Mary Countess Dowager of Southesk gave up the inventory of the personal estate of the late Earl, who is stated to have died at Leuchars in August 1699. The inventory, which was given up in name of their son, James Earl of Southesk, consisted only of £500, being part of £1000 subscribed by the late Earl to the company trading to Africa and the Indies. It was confirmed by the Commissary of St. Andrews on 20th July 1707.[1]

The Countess Dowager also acted as one of the tutors and curators to her young son, James fifth Earl of Southesk; but she did not get on harmoniously with Lord Rankeillour and the other tutors.[2]

After the death of Earl Charles, the Countess chiefly resided at the Castle of Leuchars, her jointure-house, and she kept up the same splendour in her establishment as the Earl had done. She was a keen Jacobite, and strongly urged her son James to join the party which rose in favour of the house of Stuart in 1715. She assured him that if his father, Earl Charles, had been alive, he would have joined their ranks without hesitation. Earl James followed the counsels of his mother, as we shall afterwards see. A servant of the Countess-Dowager, named John Bell, accompanied Earl James to the battle of Sheriffmuir, from which he escaped along with his master.

Mary Countess-Dowager of Southesk was an Episcopalian, and she attended the chapel at St. Andrews. She rode to the chapel in a coach drawn by four horses, and followed by two pages as outrunners.

A keen Episcopalian though the Countess was, she on one occasion took great interest in the appointment of a Presbyterian minister in the parish of Leuchars, in which she resided. Mr. Logan was the person whom she supported, while Mr. Robertson was the choice of the people and the smaller heritors. At the moderation of the call in the parish church, the dependants of the Countess zealously supported her candidate. One of

[1] Commissariot Records of St. Andrews.

[2] Memoranda at Kinnaird. In an account of money paid by the Countess for portraits, etc., the following items are included:—'The Earle's grandfather Earle Robert 'Southesque's picture, which the Countess 'of Arroll caused draw at Paris, and left to 'my Lord, £30 sterling. His father the 'late Earle's picture, £3. 8 sh. sterling for 'the Muller; and for his brother Mr. Wil-'liam's picture the like: As also for my 'Ladie's—In heall—£482. 8 sh.'—[Original Account at Kinnaird.]

her female servants, in the fervour of her zeal, called out in the church, from the Southesk aisle, in which she was sitting, that all the people present were for Mr. Logan. This was the signal for a great commotion, in which the supporters of Mr. Robertson handled this female servant rather roughly. Her cap was torn off her head; and the tumult was such that the Presbytery found it necessary to adjourn from the church to the churchyard, where the sermon was preached. The psalm given out by the officiating clergyman to be sung by the congregation was the second—

Why rage the heathen? and vain things
Why do the people mind?
Kings of the earth do set themselves,
And princes are combin'd, etc.

On hearing the psalm read out, Earl James, who was present with his mother, understanding the application to be to her and her party, persuaded her to leave the meeting, as they were 'cursed,' he said, to their faces.

Mary Countess of Southesk died in the Castle of Leuchars about the year 1730, and was buried in Leuchars parish church, within the aisle appropriated to the Southesk family. A splendour corresponding to what the Countess had maintained during her lifetime was exhibited at her funeral. All the noblemen and gentlemen in the surrounding districts, and many from great distances, were present. It is still spoken of in Leuchars as the Countess of Southesk's large funeral. The duties of the cook, Thomas Deas, in providing for the large company, were so onerous and proved so injurious, that he died soon after. When Leuchars church was repaired, about the year 1813, the iron railing which surrounded the grave of the Countess was removed, and pews were placed above the grave. On the wall behind the Southesk pew, the arms of the first Earl of Southesk were engraved in wood, with the initials of himself and his wife, Margaret Lindsay, and the date of 1633. But these arms were destroyed by the joiners at a subsequent alteration of the church.

When Leuchars church was again repaired, in 1857, the tomb of Mary Countess of Southesk was opened. The coffin, which had been made of fine oak, and the handles silver-plated, was quite entire.[1]

[1] Information from old inhabitants of Leuchars.

XV. James Fifth Earl of Southesk, 1699-1730. Lady Margaret Stewart, 1713-1747.

James fifth Earl of Southesk was born on the 4th of April 1692,[1] and when he succeeded his father he was only a child of seven years. His father, Earl Charles, appointed his Countess and the Earls of Home, Lauderdale, and Northesk, Lord Sinclair, Sir Archibald Hope of Rankeillor, Mr. James Carnegie of Finhaven, Sir Robert Milne of Tulliallan, Mr. James Martine, late Regent of the College of St. Andrews, and Mr. Thomas Skene, Advocate, to be tutors and curators to the young Earl; and, on 4th September 1699, they summoned Viscount Stormont, Sir David Carnegie of Pittarrow, and his brother, Mr. Mungo Carnegie of Birkhill, Advocate, nearest of kin on the father's side, and Mr. Charles Maitland, Mr. Alexander Maitland, and Mr. William Maitland, brothers-german to John Earl of Lauderdale, nearest of kin on the mother's side to the Earl, to concur in making up inventories of his estates, etc.[2] Of these curators, the Countess and Mr. Martine were declared to be *sine quâ non* at all meetings, and the latter was also appointed sole manager to the young Earl.[3] At the first meeting of the tutors after the death of Earl Charles, they judged that their first care ought to be directed to the aliment and education of the minor. They agreed that the house of Kinnaird was the most proper, on account of the salubrity of the situation, and in other respects, for his residence; that the Countess, his mother, might stay there and entertain him in the family with her; and that it was necessary, for the honour of the family, that he should be duly and suitably attended, and that near relatives should be received and entertained. They also agreed that he should be provided with a coach and three coach-horses, and three saddle horses for himself

[1] Genealogy of the Carnegies, by Martine of Clermont, MS. In the account of a wright for work done at Kinnaird in April 1692, there is charged £6 Scots, as the price of my Lord Carnegie's cradle, being of my own wood, made at Montrose.—[Account at Kinnaird.]

[2] Original Summons at Kinnaird.

[3] Original Memorandum and Information at Kinnaird.

and servants, a coachman, groom, page, footman, and a governor; and for their fees and entertainment, as well as for the Earl's own entertainment (except the governor's fee, which was to remain an additional burden, as the tutors should determine), the tutors were to pay to the Countess-Dowager the sum of five thousand merks yearly. This annual sum was to be regularly paid to her till the Earl reached the age of twelve years—the period during which he was to reside with her; and in addition to this allowance, the casualties and services of the barony of Kinnaird, with the fuel, peats, and wood necessary, were assigned to the Countess-Dowager.[1]

In reference to the furniture in the house of Kinnaird, the tutors at the same meeting finding that it was 'old and ancient,' as expressed in the minute, resolved to keep it for the Earl's use, as it would amount only to a small sum if sold. They also committed to the Countess the care of the furniture of Leuchars, both for her own interest and the interest of her son.

The tutors further recommended that the Countess should diminish the herd of deer, preserving only such a number as might be sufficient for keeping the 'stock a-foot.'

As Earl James approached the age of twelve years, when the period fixed upon for his residence at Kinnaird with his mother would terminate, the subject of his future education became a matter of anxious solicitude to his tutors. They felt that the trust committed to them by the deceased Earl, his father, obliged them to exercise the utmost care in the matter. After several communings, they judged it necessary that his education should be of a more public and liberal character than what he had hitherto enjoyed, and they resolved that he should be sent to some University, under the government of tutors and other masters, as was usual with respect to persons of his rank and position. At a meeting of the tutors held at Edinburgh on 7th July 1703, when this subject was specially considered, it was urged by the Earl of Northesk and James Carnegie of Finhaven, that as the tutors had determined, at their first sederunt at Kinnaird, that the Earl should stay there with his mother till he attained the age of twelve years, which he would not do till April next, it was incompetent

[1] Minute of meeting, 6th October 1699, at Kinnaird.

for them to remove him at present. To this it was answered by the rest of the tutors, that the former resolutions of tutors were not to be understood as absolute, but might for due reasons and considerations be afterwards altered, when required by different circumstances; and that the Earl being now near the age of twelve, and the time of the opening of the universities being in November, it would be greatly to his prejudice to allow another year to pass before sending him to college, and the more especially considering that he was advanced in his learning beyond what was common for youths of his age. All the tutors, therefore, with the exception of the two already mentioned, were of opinion that the Earl should be sent to college in November next.

The next question was with respect to the university to which the young Earl should be sent. The Earl of Northesk and James Carnegie of Finhaven were of opinion that the University of Edinburgh would be the most suitable, and that the Countess, if she thought fit, might come and reside in the capital, and keep her son and family with her. But all the rest of the tutors agreed that the University of St. Andrews would be the most suitable for their ward, and they remitted to the Earl of Northesk, and any other of the tutors whom he chose to take along with him, to intimate their resolution to the Countess. It was further resolved, that in case the Countess should not consent to their resolution, and engage to deliver up the person of the Earl before the middle of October, Mr. Martine should be ordered to raise a process either before the Lords of Her Majesty's Privy Council or the Lords of Session against the Countess, for the purpose of compelling her to deliver up the person of her son the Earl.[1]

Differences soon arose between the Countess-Dowager and her co-tutors as to the guardianship of the Earl and the management of his estates, which caused no small trouble and expense;[2] and on the 17th December 1707 he, with consent of the other curators, revoked several deeds which, he alleged, he had been induced to subscribe to his prejudice, through the influence of his mother.[3]

Ample evidence of at least some of the grounds of difference between

[1] Minutes of Meetings of the Tutors in their Sederunt-Book, at Kinnaird.

[2] Original Petition and Representation at Kinnaird.

[3] Original Revocation, *ibid.*

the Countess and the other tutors is found in the accounts of the money transactions between her and her son. According to one of these accounts, the sum which she owed to her son amounted to £43,548, 0s. 4d. Scots. The same account also contains the following additional entry :—

'*Item*, The household plenishing, carried off by my Lady from Kinnaird 'to Leuchars, which was not there at my Lord's death (to which only she 'hath liferent right), viz.: divers times before her removal from Kinnaird, 'the best table linnen and bed linnen, and at the time of her removal '[between 1707 and 1708] almost all the linnen and bed clothes that were 'whole, with beds and other furniture, among which the greatest part of 'the furniture belonging to the kitchen and cellars, there being carried 'off in one day twenty seven cartfulls, and on another day twelve cartfulls 'of the said plenishing, besides all other things that were carried off during 'the time of my Lord's sickness at Edinburgh.'[1]

From this date the Earl personally attended more closely to the management of his own affairs, and he even took part in the general business of his country.

About the year 1710 he proceeded to the Continent, and travelled for a year or two. On his return reports were circulated that he had brought to Kinnaird certain precious stones which possessed the virtue of curing the 'falling sickness.' Persons afflicted with that malady would of course be glad to hear of a cure apparently so simple; and a burgess of Arbroath applied, through the Earl's factor, for the loan of one of these charmed stones by the following letter :—

Sir,—Ther's a freind of myne at Edinburgh who iuformes me that your Earle brought some stones from France that cures the fall'n seikness. If so be, pray doe me the favour to preveall with my Lord to let the bearer have one of them, and it shall be returned cairffully. In so doing ye'll putt a singular obligation upon, Sir, your most humble servaut,

John. Hutcheson.[2]

Aberbrothock, the 22 August 1713.

[1] Original Account at Kinnaird.

[2] Original Letter at Kinnaird. In the same year a legal work, the Principia juris Feudalis, by Alexander Bruce, 12mo, Edinburgh, was dedicated to the Earl of Southesk.

From both sides of his house the Earl inherited high principles of loyalty and attachment to the exiled family of Stuart; and, while yet quite a young man, he was involved in the unfortunate rising in 1715. He was one of those noblemen who met with the Earl of Mar at Aboyne, on the 3d September 1715, to consider the expediency of taking up arms for the restoration of James VIII. In pursuance of the resolutions adopted at this meeting, Lord Southesk proclaimed King James at Montrose. At the same time the Earl of Mar, in name of his master, issued, amongst other manifestoes and warrants considered necessary, the following warrant to the Earl of Southesk:—

Our rightful and natural King, James the Eighth, by the grace of God (who is now coming to releive us from our oppressions), having been pleased to intrust me with the direction of his affairs, and command of his forces in this his ancient Kingdom of Scotland: and some of his faithful subjects and servants met at Aboyn, viz., the Lord Huntley, the Lord Tullybardine, the Earl Marischal, the Earl of Southesque, Glengary from the Clanns, Glenderule from the Earl of Broadalbine, and Gentlemen in Argyleshyre, Mr. Patrick Lyon of Auchterhouse, the Laird of Auldbar, Leiutenant-General George Hamilton, Major-General Gordon, and myself, having taken into our consideration his Majesty's last and late orders to us, Find, that as this is the time he order'd us openly to appear in arms for him, so it seems to us absolutely necessary for his Majesty's service and the releiving of our native countrey from all its hardships, that all his faithfull and loving subjects, and lovers of their countrey, should, with all possible speed, putt themselves into arms.

These are therefor in his Majesty's name, and by virtue of the power aforesaid, and by the King's speciall order to me thereanent, to require and impower you to raise what men you can, both gentlemen and others, with their best arms, and to be ready to march to attend the King's Standart upon the first advertisement, which you may very soon expect.

You are also hereby impower'd to secure what arms and ammunition are in the hands of suspected persons.

The King intending that his forces shall be pay'd from the time of their setting out, he expects, as he positively orders, that they behave themselves civilly, and commit no plundering nor other disorders, upon the highest penalties and his displeasure; quhich is expected you will see observed.

The King makes no doubt of your zeal for his service, especially at this juncture where his cause is so deeply concerned, and the releiveing of our Native Countrey from oppression and a forreign yoke, too heavy for us and our posterity to bear. And when now is the time to endeavour the restoreing, not onely our rightfull and

native King, but also our countrey to its aneient free and independent constitution, under him, whose ancestors have reigned over us for so many generations.

In so honourable, good, and just a cause, we cannot doubt of the assistance, direction, and blessing of Almighty God, who has so often rescued the Royal Family of Stewart, and our Countrey from sinking under oppression.

Your punetual observance of all these orders is expected; for the doeing of which, this shall be to you, and all you employ in the execution of them, a sufficient warrand.

Given at Braemar,[1] this eighth day of September, 1715.

MAR.

To The Right Honorable The Earl of Southesque.[2]

The Earl Marischall was empowered by Mar to raise forces to support the standard of the Pretender. He issued the following order at Ellon on the 25th of September, requiring the collected army to meet him at Stonehaven on the 1st day of October :—

SIR,—These ar in His Majestye's name and authority, be vertue of a power given me by the Earle of Marr, whom His Majestie hath been pleased to entrust with the direetion of His affairs in this His antient Kiugdome of Seotland, to require yow with your best horses, armes, and what men yow ean raise, to meet me att Stonehaven on Saturday next, be tulve ackloack, being the first of October, for quhieh this is warrand from,

Sir, your humbill Servant,

MARISCHALL.

Ellon, September 25th, 1715.[3]

Lord Southesk at the head of 30 horse and 150 low-country foot joined the insurgent forces at Perth; and soon after, when the insurgents fell short of ammunition and supplies of all kinds, and when the Highlanders were beginning to mutiny for want of pay, he gave £500 to help to supply their present wants.[4] This example of liberality was followed by the Earl

[1] Two days before the date of this declaration, the Earl of Mar set up the standard of King James VIII. at Braemar. There is a tradition that when the standard was being erected, the ball on the top of it fell off, which the Highlanders took as a bad omen for their cause. The spot on which the standard was erected now forms part of the floor of the coffee-room of the Invercauld Arms, Braemar.

[2] Original at Kinnaird.

[3] Original Letter at Kinnaird.

[4] The Earl also lent, during the year 1716, to William Marquis of Tullibardine, one of his companions in arms, and afterwards, like himself, an exile for the same cause, the

of Panmure, who contributed a similar sum.[1] Besides advancing money out of his own private purse, Lord Southesk gave orders to his officer at Leuchars to collect £52, from the tenants of that Lordship, and to pay the same at Cupar to the collector, who had been appointed by the Earl of Mar, as Commander-in-Chief of the Pretender's Forces in Scotland, to receive the cess payable out of Fife ; and to certify to the tenants, that if they failed to pay the required sum, they would be immediately poinded by a party of Highlanders.[2]

Although a young man, and inexperienced in military affairs, the position and energy of the Earl of Southesk were of great importance to the cause ; and he was appointed Colonel of the regiment of Angusshire horse by the following Commission from the Earl of Mar :—

John Earl of Mar, Lord Erskine, Garioch, and Alloa, Knight of the Most Noble Order of the St. Andrew, and Commander-in-Chief of his Majesty's forees in Scotland ;

To James, Earl of Southesque,

By Virtue of the authority and power to me given by his Majesty as Commander-in-chief of his forees in Seotland, I doe hereby eonstitut and appoint you, the said James Earl of Southesque, to be eolonel of the regiment of Angus-shyre horse, now imploy'd in his Majesty's service ; and I doe impower you to name and appoint sueh eaptains and subaltern officers to serve under you in the said regiment as you shall think most proper for the serviee at present. You are, therefor, to take the said regiment into your care, and to keep the same in good order and diseipline, by duely exereiseing bothe the inferior offiecrs and soldiers thereof in arms. And I hereby require them to obey you as their eolonel, and yourself to observe and follow all sueh orders, direetions, and eommands as you shall from time to time reeeive from his Majesty, from me, or any other your superior offieer, aeeording to the rules and diseipline of war, in pursuanee of the trust hereby reposed in you.

Given under my hand and seal at the Camp at Perth, this 22nd of Oetober, and of his Majesty's reign the fourteenth year. 1715.

Mar.

By his Lordship's eommand,

John Paterson.

E. Southesque, Colonel of the Angus-shyre horse.[3]

following sums :—100 guineas at Aberdeen on 7th February ; 100 guineas at Rosiot on 9th May ; and 1000 livres French money, at Avinion, on 10th August.—[Three original receipts at Kinnaird.]

[1] Memoirs of the Insurrection in 1715, by John Master of St. Clair, pp. 50, 69, 72.

[2] Original Letter, dated at Perth 11th October 1715, at Kinnaird.

[3] Original at Kinnaird.

The following account of the proceedings of Lord Southesk's factor at this time, taken from the Session Records of the Parish of Stracathro, is very characteristic of the disorganized state of the country :—

This day[1] Mr. John Davie, factor to the Earl of Southesque, intruded on the minister's charge by taking the keys of the church, ordering the kirk-officer to ring the bells at the ordinarie time of day, the people being warned the day before to wait on, and join in the worship of a pretended fast, or humiliation day, for success to the Pretender's arms, and that under the pain of taking each man, master and servant, to the camp at Perth; which warning so prevailed, that it brought the whole parioch together, at the time appointed, to the church, where and when Mr. Davie himself came on the head of near eighty men under arms, with beating drums and flying colours, and preached a little in the church; and after that kind of worship was over, he mustered up his men again at the kirk style, and on their front went to Kinnaird.

The said Mr. Davie continued his intrusion from the date above said to the fifth of Februarie seventeen hundred and sixteen, the which day the Duke of Argyle came with King George his forces to Brechin, and Mr. Glasfurd, the minister, during the intrusion, preached in the manse, on Malachie fourth and second, and John fourteen and second, and other texts of Scripture, and lectured on several Psalms, adapted to the present times, but had no occasions nor opportunity to mark them in minutes; and the collections that were made for the poor during the foresaid time being but very inconsiderable, he, by the advice of some of his hearers, applyed to the relief of some poor indigent people in the parioch of Brechin, except seven shillings Scotts to Magdalene Durrow, two shillings Scotts to Isobel Hunter, and seven shillings six pennies Scotts to Robert Mather, poor people in this parioch.

A narrative of the rising of 1715 and of the battle of Sheriffmuir was written by the Earl of Panmure, who was one of Lord Southesk's comrades in arms. The Earl relates that the King's army was drawn up at the foot of a hill, not far distant from Kinbuck, in two lines, with the right at the high way that leads to Dunblane, and the left towards Sheriffmuir, fronting the place where the enemy encamped during the night. The first line, at the head of which was the Earl of Mar, consisted of the right wing of horse, which was composed of two squadrons, the standard and Huntly's, commanded by the Lord Lieutenant and the Earl of Linlithgow, Brigadier-Generals; the foot, which was composed of one small battalion of Huntly's, commanded by Glenbucket, besides the battalions of Sir Donald M'Donald's,

[1] 2d November 1715.

Clanranald's, Glengary's, Sir John M'Lean's, Appin's, Lochiel's, and Breadalbane's, commanded by Major-General Buchan, Brigadier Ogilvy of Boyne, and Glengary, who had orders to act as Brigadier; and the horse on the left, which were composed of the Perthshire and Fife squadrons, commanded by Lord Kilsyth, Major-General, and Master of St. Clair, Brigadier. The second line, at the head of which was General Hamilton, consisted of the horse of the right wing, which were composed of two squadrons, Huntly's and Marischall's; the foot, which were composed of three battalions of Seaforth's, one of Huntly's, Panmure's, Lord Drummond's, Lord Duffus's, Lyon of Auchterhouse's, and Struan Robertson's, Brigadiers; and the horse on the left, which were composed of the Angus squadron, commanded by the Earl of Southesk, Brigadier, and a battalion of Huntly's with the artillery.

In a council of war it was agreed by all, except Huntly, to attack the enemy. Then the Earl Marischall with his squadron of horse, and Sir Donald M'Donald's regiment of foot, were ordered to advance up the hill. The Earl of Mar desired General Hamilton to march the second line, which stood ranged in the order now described, and the watchword was given, 'For our King and country.' Immediately all were ordered to their posts. General Hamilton ordered Colonel Clephane, Adjutant-General, to march off this portion of the army by the right in four columns. The Colonel ventured to suggest that if the General would allow the army to march by the left as it then stood, it would be much easier for the troops to form than it would be possible for them to do if the lines were once broken. But the General would not listen to the suggestion. The Colonel, on advancing with the army, called out in the hearing of several, that whatever might happen by this movement he had no hand in it. Accordingly he and Captain Nairne led on the army. Before reaching the top of the hill, Lord Marischall sent word that the enemy was coming up on the other side, and had left the strong ground which they had occupied in the morning, and were very near him. Lord Mar ordered him to march at leisure till he came up with the main body, and sent orders to the other officers to conduct the army at a rapid pace. This was done with great alacrity; but in consequence of the horse and foot marching so fast, the lines were broken, and thus the order in which they should have formed was

entirely destroyed. In this way, the Lords Drummond, Marischall, and Linlithgow, with their squadrons, which should have formed the right, were thrown into the centre ; and those squadrons, under the command of Lords Kilsyth, Southesk, and Sinclair, which should have been on the left, were thrown upon the right.[1] In like manner a good many foot of the second line, having no orders from any general, jumbled into the first line.

When the King's army, continues the Earl of Panmure, was thus forming and marching up, Lord Mar, perceiving the enemy, by the tops of their caps, forming on the other side of the hill, ordered the Adjutant-General to go to the summit, where he could better see their disposition and motions. The Adjutant-General on returning said, that he saw some of their squadrons and battalions forming a line on their right, but that most of their army was not as yet drawn up in battalions. Lord Mar thought this too favourable an opportunity to let slip, though his own line of battle was not

[1] The Master of Sinclair, who commanded one of these squadrons, gives a similar account of their position. The squadrons of Lords Southesk and Rollo and the Master of Sinclair were ordered to follow the column of infantry which marched last off the ground, and which, it was said, would take them to the left. They marched for a short time in this order, with great rapidity, the foot at a run, and the horse at a gallop, and verging towards the ground which the left was appointed to take up. But after they had advanced a considerable distance in this way, there came at the same moment to Lord Rollo, who was nearest the foot, an aide-de-camp, and messengers from Mar and Huntly, and ordered the three squadrons to hasten to the right of the whole army with all expedition possible. Rollo's squadron obeyed at once, and went off at full speed, having passed the word to Southesk, who again passed it to the Master of Sinclair, and immediately followed Rollo. The Master of Sinclair, doubting the accuracy of the order, and the expediency of the movement, hesitated for a few minutes, and then followed the two squadrons of Southesk and Rollo, which he found posted on the right of the whole foot. He adds : 'I can't tell who posted the two squadrons, but whoever did it, did well.' This change of the position of these squadrons from the left to the right, was rendered necessary by the Lords Drummond and Marischall forming in the centre, and leaving the right exposed. In speaking of other movements and dispositions of troops which might have been made, the Master of Sinclair further says, that Lord Drummond would still have murdered all by running into the centre with his four squadrons, and thus rendering it necessary for them to take his place on the right with their three ; that the left being thus unsupported by horse, would still have run away at the approach of the dragoons ; and that had they continued on the left, and Lords Marischall and Drummond in the centre, then the right must have run away for the same reason.—[Memoirs of the Insurrection in Scotland in 1715, by John Master of Sinclair ; printed for the Abbotsford Club, Edinburgh, 1858, pp. 215, 230.]

fully formed; and he galloped from the right to the centre to hasten the forming of the left wing, and to put the horse in the best order possible in that position, seeing there was no time to change it; and he ordered the line to be moving to the top of the hill, where he saw most of the enemy's army formed. He sent Colonel Clephane, Adjutant-General, to the right, and an aide-de-camp to the left, with orders to charge the enemy in that position; and he called to the horse to advance, waving his hat to the right, calling out to charge them with a huzza. The whole right of the line advanced, upon which Lord Forfar's regiment and another of the enemy's that was formed, fired very hard in platoons on the place where Lord Mar was, which was near the centre of the line. This fire made those horse of Mar's that fell in on the centre move a little to the right, and they galloped with too much haste, until they came to his horse on the right; but the foot, from the place where Lord Mar was, to the right, charged with great vigour, and carried all before them, so that in less than ten minutes they could not see anything like the form of a squadron or battalion of the enemy, many of them being cut to pieces, and the rest running down the hill.[1]

About this time the Earl of Panmure's regiment came up, eager for the fight. But on reaching the top of the hill they found no second line, nor any of the horse in sight, nor any general officer to give them orders. They

[1] This account of the movement of the horse in Mar's centre, and of the repulse of Argyll's left by the infantry of Mar's army, agrees with the narrative of the Master of Sinclair. Not only all within our view, he writes, and in front of us turned their backs, but the five squadrons of dragoons on our left, commanded by General Witham, went to the right about, and never looked back till they had got near Dunblane, almost two miles from the field; and the Highlanders pursued the infantry, who ran as hard as their feet would carry them, many throwing away their arms to enable them to run the faster. Those of the enemy, however, drawn up in front of the four squadrons in the centre, commanded by the Lords Drummond and Marischall, stood firm after delivering their fire. So these Generals, deeming it unadvisable to contest the matter with rogues, who seemed so obstinate and so impertinent as not to run away at the sight of them, preferred to make a wheel to the right, and join in the pursuit with the Highlanders, as if they had been going to skin those whom the Highlanders had slaughtered; and so, in the twinkling of an eye, after the enemy gave way, they passed our horse on the right, all broken and scattered, every man for his own hand riding as hard as his horse could carry him.—[Memoirs of the Insurrection in Scotland in 1715, by John Master of Sinclair; printed for the Abbotsford Club, Edinburgh, 1858, pp. 217, 218.]

formed themselves therefore in the first line on the left of that regiment which had been on their right at the foot of the hill, having the enemy's grey and black dragoons directly opposite to them; and two small battalions of Logie's, Drummond's, and Struan Robertson's on their right and left. The battalions of Logie and Struan, however, were not only weak, but were mostly composed of dissatisfied men, being generally Whigs, and such as had been forced into the service, so that they fled soon after coming under fire, and the Earl of Panmure's regiment was forced to give way also.

Lord Mar, who had with his right wing defeated the left of the enemy, was thus not so successful on his own left; and when he received accounts that the left and second lines had given way, viz., the three battalions of Seaforth, and the battalions of Lochiel, Apine, Logie, Panmure, Huntly, Struan, and Tullibardine, who were pursued back over the hill by some squadrons and battalions of the enemy's right, he gave orders to put what of his army he could get together in the best order possible. The horse were very soon put in order, but it was not easy to bring the Highland foot from plunder. So soon as they were put in some order, Lord Mar marched through the field of battle to the top of the hill, where he perceived two squadrons of the enemy's grey dragoons, who it seems were sent to see what was become of the rest of their army. But no sooner had these two squadrons come near the top of the hill and found the Earl of Mar with the army in form, than they ran down the hill; for by that time Lord Mar had gathered a considerable body of foot together, viz.,—Sir John M'Lean's, Clanranald's, Lord Breadalbane's, and, soon after, Glengarry's and Sir Donald M'Donald's foot, with most of the horse, and so formed a line fronting the enemy. The hasty retreat of the dragoons down the hill alarmed the enemy, who expected no such thing, having firmly believed that the King's army was entirely routed; so, fearing to be attacked, it was proposed amongst them to kill the prisoners, which it is believed they would have done, for they threatened several times to do it immediately, cursing 'the Pretender,' as they called him. But Lord Mar not being able to persuade the heads of the clans, particularly Glengarry, to a second attack, the enemy filed off towards Dunblane, carrying most of their prisoners with them.

Lord Mar with the army stood on the field of battle till sunset, and

drew off most of the cannon which Lord Huntly's regiment had abandoned; and had it not been that the men had lain out during the whole of the previous night, and that they had no provisions nor cover. they would have lain out there that night also; but to refresh the men, and to meet the provisions that were coming from Perth, his Lordship thought that it was more advisable to march three miles backward and quarter at Ardoch.[1]

The Earl of Panmure does not give any estimate of the respective losses of the contending armies. Patton, a Jacobite writer, in his History of the Rebellion of 1715, informs us that they took the Earl of Forfar, who was dangerously wounded, Colonel Lawrence, ten or twelve captains and subalterns, about 200 sergeants and private men, and the Laird of Glenduiky, one of the volunteers, four colours, several drums, and about 1400 or 1500 stand of arms. He computes that 700 or 800 of the enemy were killed in action, and that there lay dead upon the field of battle above fifteen of the enemy to one of the Jacobite army.[2] Rae, a Whig writer, on the other hand, states in his History that the loss of Argyle's army was 290 killed, 187 wounded, and 133 prisoners, whilst he estimates the loss of the Jacobites in killed alone at from 600 to 800. Both parties claimed the victory; but even Rae's account of the battle confirms the accuracy of that of the Earl of Panmure, which states that Mar's army at least kept longest possession of the battle-field.[3]

After the battle, Lord Southesk consistently adhered to his party. When the exiled king landed in Scotland in the winter of 1715-16, with the view of supporting his pretensions to the British throne, he visited the Earl of Southesk at his Castle of Kinnaird, at which he held a court, and from which he issued manifestoes, warrants, and other documents to his adherents. The following warrant was amongst those issued by him from 'Our Court at Kinnaird,' on 3d January 1715-16 :—

JAMES R.

Whereas it is necesary for Our service that yow should repair immediatly to the Shiress of Kincairdine, Aberdeen, and Bamff, in order to recruit the regiment of horse commanded by the Earle Marischall :—These are, therefor, order-

[1] MS. account of the Battle of Sheriffmuir, by the Earl of Panmure.

[2] Patton's History of the Rebellion, p. 59.

[3] History of the Rebellion against King George I., by the Rev. Peter Rae, second edition, London, 1746, pp. 307-310.

ing yow furthwith to raise what fencible men yow ean within the saids three shires, with their best horses, armes and accutremcnts, and with all possible speed to march them to Pearth, in order to joyn and be incorporated with the said regiment: For doeing whereof, this shall be to yow a sufficient warrand.

Given at Our Court at Kynnaird, this 3d of January 171$\frac{5}{6}$.

By His Majestie's Command,

MAR.

To Master James Keith, brother to the Earle Marischall.[1]

In the end of the last century, nearly the whole of the Castle of Kinnaird, in which King James VIII. held his Court, was either removed or renovated. The bedroom, however, in which the King is believed to have slept still remains, though it was modernized at that time; and portions of the curtains are still preserved.

James fifth Earl of Southesk is supposed to have been the brave Carnegie who is the hero of the popular song, 'The Piper o' Dundee.' The subject of the song appears to have been the proceedings of a private meeting held at Dundee for the purpose of favouring the Jacobite cause.

There was Tullibardine and Burleigh,
And Struan, Keith, and Ogilvie,
And brave Carnegie, wha but he,
The Piper o' Dundee.

Others think that the hero of this song was Carnegie of Finhaven, who gained an unenviable notoriety, according to another popular ballad, as having been the swiftest of foot in running from the battle of Sheriffmuir.

Wi' the Earl o' Seaforth, and the coek o' the north;
But Florence ran fastest awa man,
Save the Laird o' Finhaven, who swore to be even
Wi' any general or peer o' them a' man.

In the same humorous ballad, justice is done to Southesk in the following verse:—

Brave generous Southesk, Tullibardine was brisk,
Whose father, indeed, would not draw man,
Into the same yoke, which served for a cloak,
To keep the estate 'twixt them twa man.[2]

[1] Contemporary Copy at Kinnaird.

[2] The writer of this ballad was obviously unacquainted with the principles of the first Duke of Athole, otherwise he would not have referred to him in these terms.

In consequence of the part which he thus took in the insurrection, Earl James was attainted, and his estates were forfeited to the Crown by the Act of 1 George I. cap. 42. The Act narrates, that as George Earl Marischall, William Earl of Seaforth, James Earl of Southesk, and many other noblemen and gentlemen, on or before the 13th day of November 1715, did, in a traitorous and hostile manner, take up arms and levy war against his Majesty contrary to the duty of their allegiance, and had fled to avoid being apprehended, it was enacted by the King and both houses of Parliament, that if they did not surrender themselves to one of his Majesty's Justices of Peace, on or before the last day of June 1716, they should be adjudged attainted of High Treason from and after the said 13th of November 1715; and every Justice of Peace was required to commit them to prison, and to give notice thereof to one of the principal Secretaries of State.[1]

Earl James did not surrender himself to the authorities, and the Act of Attainder took full effect on his titles of honour and territorial estates. He escaped to France, where, after an exile of about fifteen years, he died, on 10th February 1730, without having ever returned to his native land.

About two years before the insurrection of 1715, the Earl of Southesk married a highly accomplished lady, Lady Margaret Stewart, eldest daughter of James fifth Earl of Galloway. Their contract of marriage is dated 11th June 1713, on which day their marriage took place.[2] The Earl of Southesk thereby became bound to infeft Lady Margaret in an annuity of 8000 merks Scots, or £444, 8s. $10\frac{2}{3}$d. sterling out of the earldom of Southesk, in case she survived him, and also in a jointure-house, or £33, 6s. 8d. sterling in lieu thereof, and to pay her £400 sterling at the first term of Whitsunday or Martinmas after his decease, in lieu of her share of the furniture and moveables that should be in their custody at the time of his death. By a separate disposition, dated 3d September 1713, the Earl granted to the Countess for her life, the house and manor-place of Kinnaird, with the orchards, parks, etc., also the mains of Kinnaird and house of Farnwell, etc. The tocher or marriage-portion of Lady Margaret Stewart was £1500.[3]

[1] Minutes of Evidence in Southesk Peerage, p. 67.

[2] Claim for Margaret Countess of Southesk on forfeited estates of Southesk.

[3] Original Instrument of Sasine at Kinnaird. Printed in Minutes of Evidence in Southesk Peerage, p. 71.

In the third year of the reign of King George I., an Act was passed to enable his Majesty to make such provision out of the forfeited estates of James late Earl of Southesk, James late Lord Drummond, and others, for their wives and children, as they would have been entitled to in case these Lords had been naturally dead. On considering the petition of the Countess of Southesk, in terms of this Act, with the report of the Barons of Exchequer in Scotland, the Lords of the Treasury laid the same before the King, who was pleased to authorize a grant to be made in the form of a Crown-charter to the Countess, dated 28th August 1718, of an annuity of £448, 8s. 10⅔d. sterling, and also an annuity of £250 to James Carnegie her son during his nonage, for his education and aliment.[1]

For some years after his escape to the Continent, the Earl of Southesk was not joined by the Countess. In his correspondence with her during this period, a specimen of which is subjoined, he repeatedly urges her to come to Paris and become the companion of his exile, assuring her that he could never be happy without her.

Paris, 14th August 1719.[2]

My dearest Life and Soul,

I have to-day drawn on you for 150 pounds, as I writ you I was to do in my two last; and I set out to-morrow for Aix La Chapelle, and I hope, by the time I return here, to have the so mueh long'd for aecount of your being in your way to this place; for it's impossible for me ever to be easy till I have you with me; and so I again beg you may hasteu all you ean. I gave you the reasons of my drawing now on you, in my last save one, and I gain a great deall by it, for Mr. Gordon gives me a bill on Brussels or Liege for the value that sum is worth in either of these places; whereas if I had taken out of his hauds what he has here of mine, I would have los'd at least one half by reason of the mouey's being so very high here: and I persuade my selfe you will readily pay it, for I promise you I'le draw no more on you before April or May nixt, tho' I hope we'l meet here or at Calais in the beginning of Oetober. I pray God preserve my son and you to me who am,

Eternally yours,

My dearest, Adieu!

I than[k] God I am perfeetly reeovered. Pray make my eompliments to all friends where you are.

[1] Petition and Report among Papers of the forfeited estates; and crown-charter, dated 28th August 1718, printed in Minutes of Evidence in Southesk Peerage, p. 74.

[2] Original Letter at Kinnaird.

Since writing I was very much surpriz'd to hear you had not accepted my bills of 400 pounds sterling, and desiring me to condescend upon the funds for raising that sum, and that you had writ to me accordingly, tho' I have not receiv'd any such letter. In the first place, I left in your hands, on a call, a much greater sum than I have yet, in all, drawn for; and besides you receiv'd all the rents of crop 1715; for from the 5th August that year, the date of your factory, I never receiv'd one farthing, and the estate was not seiz'd till the July after; so you had that whole year's rent; for I know you sold the victuall: nixt you had the stocking of all the rooms in my own hand, which I'm sure would amount to no small sum, and then you receiv'd, as I'm credibly inform'd, a great sum of the tennant's bygone *rests*, and are every day receiving of the same, and there was also above 6 or 7000 merks owing of the money in merchants' hands of the 1714. I need not mention my plate, since you had so much other funds; but, in short, I positively order you to pay that 400 lib. bill, and that of 150, and it will be, as I writ you, May nixt ere I trouble you for any more, if then; tho' I hope to see you soon here. I beg of you to send me over ane account of what you have receiv'd of mine; it's long since you promis'd it (at least 2 years), after my writing again and again for it, but it never came yet. I assure you I am far from resenting what's past, and ever shall be yours, for I doubt not your now obeying me.

My Dearest, Adieu!

In the following month, the Earl having heard that exaggerated reports had reached the Countess about an illness, namely, a purple fever, with which he had been afflicted, again wrote to her, addressing her under the assumed name of 'Mistress Seaton,' to inform her that he had recovered from his illness.

Paris, September 10th, 1719.[1]

My Dearest Life and Soul,

I came here from Aix la Chapelle four days ago, having found no benefit by drinking the waters; tho', I thank God, I am in pretty good health, and at my coming found two letters from you, the one of the 3d of August and t'other of the 11th. It was a great grief to me to find people had so frighted you at my last illness. It's true, indeed, I was thought past all hopes of recovery, for it was a purple fever; but I wonder who cou'd be so cruell as write it till they saw the event. But as it was worse than the first, so it was much shorter; for I was but four days very ill, and I easily judge the anxiety of mind you would be in; but you may be now perfectly at ease, for I have my health and stomack very well, and my strength will return by degrees; for you know it must take a time before one who has been brought very low by such sicknesses can perfectly recover it. I 'm sure nothing would contribute so much as the seeing of you with me, tho' I can't but

[1] Original Letter at Kinnaird.

own you have reason to stay a little, I hope a very little, till you see what 's done in your affair ; and Mrs. Prior tells me she expects soon to know if anything be to be got, since those concern'd are already enter'd upon business ; and she tells me you are in the same condition, and that they began with Mr. Crow and Mr. Prior's business first. I believe, if Mr. Spencer be oblig'd to compone his process, he will take care that Mrs. Sands be put in the same condition as before ; but I beg of you not to mention this to any mortall. I have no news but what you'l see in the prints. I can add no more concerning the bills till I have your return of what I wrote you ere I went for Aix. I pray God preserve my son and you to me, who am eternally yours,

My Dearest, Adieu !

I wish your sister in law a happy delivery. Pray give my most affectionate humble service to your brother and to her.

To Mistress Seaton.

In the beginning of the following year, the Countess obtained permission from the Government to join her husband. On the prospect of her journey to Paris, her father, Lord Galloway, wrote to her an affectionate letter, dated 16th February 1720, in which he earnestly advises her not to take her son with her, but to entrust him to his grandmother, the Countess of Galloway.

Glaser[ton], February 16, 1720.[1]

Dearest Daughter,—Although I've not heard from you since your uncle, the Brigadier, left Edinburgh, yet I'm glad to hear from your mother that you and Lordie Carnagie are weel. I doubt not my brother hes acquanted you that your licence is granted for your going to France. You may be suir that you and all your concerns have my best wishes and my blessing; and doe from my heart pray that God may preserve and bliss you quhairever you are. I'm hopfull you have determined fuillie and deliberatly about the disposall of your son. I shan't take it upon me to advise you in a busyness of such consequence ; but if you will intrust him to the care of your mother, you may be fullie persuaded that he shall be verie welcome to us both, and [we] will take as much care of him as [if] he were our ounc child, and [I] will certainly have as much anxity, yea, more, if possible, for him as anie of my oune. However, I fancie, for your oune exhoneratione, you will think it necessarie to advise with the Earle of Lauderdale and Barron Clerk about evrie thing that may concern him, ere you leave Scotland ; and, if you please, lett me know the result of your meeting.

Dearest child—you may belive that my hearty concern for you at this junctuir will induce me to tell you how absolutly it will be for your advantadge to study a

[1] Original Letter at Kinnaird.

good behaviour quhen you goe to Paris; and particularly to shun evrie thing that may give the least uneasyness to your lord, ore that may expose ather of you amongst strangers. Doubtless you may be sensible that both strangers and others will take notice of evrie single step of your behaviour; and none more readylie will catch at all advantadges against you as those of our oune natione. I need not mentione auie, since I doubt not in the least you know my meaning; and thair will be nothiug more for yuir interest as to abstain from all maner of gammiug, quhich I'm sensible verie ofteu takes up to much of your timc, and did verie frequently disoblidge your lord; and if you don't refrain from that and evrie thing else that did formerlie occasione mistakes betuixt you, it were much better you had not gone abroad at this time: and I desire you wold freelie and unbyazedly resolve to abstain from auie diversiones that you know will in [the] least create difference betuixt you,—and particularly that of gamuing. It will be certainly noe small charge and expenses if you aud he live at Paris, and support the grandeur and expenses that will attend the living in that place; especialic quhen by the vast conflouence of people that are there at this time. If you find it to be soe, I faucy it would be much better for you and your lord to goe and live retir'dly in some privat place, and shune evrie thing that may occasione your liviug to be expensive; for I most say that your present circumstances will occasione the best manadgment to affoord anie tollerable living for you both. All I shall desire—and I most again urge you principlie—is to abstain from gamming, aud doe take one resolutiones never to engadge in it; aud [I] doe, with all the sincerity that I'm capable of, beg and requiste that of you; and that you'l write me your resolutiones one that particular; and as to evrie thing that you know will be most oblidging to your lord, quhich you know best, being most acquanted with his humour. Don't mistake me quhen I give you my advice; neather doe you imagiue that it proceeds from anie ill humour. I take God to witness that nothing moves me to it but my reall concern and affectione to you as your pareut, and that in conscience and dutie I think incumbant upon me; and if you think otherwise, you are in the wrong. I expect to hear from you by this night's post. I pray God may preserve you, and that his best blissings may ever attend you and yours. Be serious with God for his directione in all your doings, that they may be for his glorie, and the good of your oune soul. Give my blessing to my dear granchild, and humble service to your lord quhen you've occasione to write to him; and belive I am,

Dearest child, your most affectionate father and most humble servant,

GALLOWAY.

I've not got my post letters, aud it's now eleven of the clock at night, soe you can't expect any returns by this post.

This letter shoud [have] gone by the last post, but was neglected by my servant,

quhom I ordered to give all my letters to be sent to the post house. I shall onlie now acknowledge the recept of yours by the last post, and admire that you blame me as the onlie instrument of your son's not having libertie to goe abroad with you. If it be soe, I'm not singular, for I don't know one freind you've that's for it: houever, I'm in noe great truble to take the blame; I doe oune that it was my oppinione that he shoud not goe, and I know uoe persone that wishes you weel of anie other oppinione, unless it be some that I sha'n't mentione: houever, I find by yours that, if your lord orders you to take him, you will doe it. You may doe quhat you please; especialie with your oune child: houever, I most say that if you doe soe, I can't see how you can expect auie of his pensioue; and if you carie him away, may run the risque of losing your oune, quhich is onlie granted during pleasour; and if you don't think the favour done you worth your regairding, then you need not care. I most say if anie in your circumstauces get anie friendship done you by the government, the[y] most behave themselves soe as not to undervallou them; ore if they doe, then certainly they most think that anie favour is not to be continiued quhen it 's not ouned as such. I may advise you in quhat may be proper for you; but you may act as you please. Pardone this confused scribble, quhich is all from,

. Dearest Daughter, your verie affectiouate father,

GALLOWAY.

Sabbath morning, at 10 of the clock.

The difficulties of her position prevented the Countess from joining her husband so early as she had anticipated; or if she did actually visit him, as she proposed, in the year 1720, she returned to Scotland before April 1723, as on the 6th of that month she granted at Edinburgh a commission to a factor to arrange her affairs with the York Buildings Company as purchasers of the estate of Southesk. That Commission narrates that the Countess is to be furth of Scotland for some time, and that it will be necessary in her absence to appoint a person to settle with the said Company her claims on the estate of Southesk.[1] Between the date of the first proposal of Lady Southesk to join her husband in 1720 and this commission, she lost her only son, Lord Carnegie, the object of so much solicitude to his parents and grandparents, when only in the eighth year of his age. He was born in November 1714,[2] and died on the 7th of January 1722.

[1] Extract Commission among forfeited Estates Papers.

[2] Affidavit by Sir John Carnegie of Pittarrow, 13th January 1718, among papers relating to the forfeited estate of Southesk.

The following elegy on the death of this son was written by Allan Ramsay :—

Elegy on the Right Honourable James Lord Carnegie, who died the 7th January 1722, in the Eighth year of his Age.[1]

As Poets feign, and Painters draw,
Love and the Paphian Bride;
Sae we the fair Southeska saw
Carnegie by her side.

Now sever'd frae his Sweets by Death,
Her Grief wha can Express?
What Muse can tell the waefu' Skaith,
Or Mother's deep Distress!

Sae Roses wither in their Buds,
Kill'd by an Eastern Blast,
And sweetest Dawns in May with Clouds
And Storms are soon o'ercast.

Ah, checquer'd Life! Ae Day gives Joy,
The niest our Hearts maun bleed:
Heaven caus'd a Seraph turn a Boy,
Now gars us trow he's dead.

Wha can reflect on's ilka Grace,
The Sweetness of his Tongue,
His manly Looks, his lovely Face,
And Judgment ripe sae young;

[1] Allan Ramsay's Works, vol. ii. p. 46. The Montrose Mortality Register has the following entry respecting the funeral of Lord Carnegie:—'1722, January 23rd.—My Lord 'Carnegie's Corps haviug lyen three nights in 'the Church of Montrose, was caryed to his 'burial Place at Kinnaird, and for same was 'paid here £37, 16s. 0d.' During the investigations preparatory to the restoration of the Earldom of Southesk in 1855, the discovery of this entry was of great service in proving the death of Lord Carnegie. Much research had been made for the recovery of legal evidence of his extinction, without success; for although this entry is written in the register in the large prominent hand usual in notices of noblemeu or persons of rank, it was overlooked in the first search of the register. Subsequent investigatious, however, having been made by the Editor, the entry was fortunately discovered in time to save a proposed journey to Rome, it having been erroneously believed that the Lord Carnegie had beeu buried there.

And yet forbear to make a doubt,
As did the Royal Swain,
When he with Grief of Heart ery'd out,
That Man was made in vain?

Mortals the Ways of Providence
But very scrimply sean;
The changing Scene eludes the Sense
And Reasonings of Man.

How mony Thousands ilka Year,
Of hopefu' Children, crave
Our Love and Care, then disappear,
To glut a gaping Grave.

What is this Grave? A Wardrobe poor,
Which hads our rotten Duds;
Th' immortal Mind, serene and pure,
Is cleath'd aboon the Clouds.

Then cease to grieve, dejected Fair,
You had him but in trust;
He was your beauteous Son, your Heir,
Yet still ae haff was Dust.

The other to its native Skies
Now wings its happy Way;
With glorious Speed and Joy he flys,
There blessfully to stray.

Carnegie then but changes Clay,
For fair Celestial Rays:
He mounts up to Eternal Day,
And, as he parts, he says,
Adieu, Mamma, forget my tender Fate;
These rushing Tears are vain, they flow too late.
This said, he hasted hence with pleasing Joy;
I saw the Gods embrace their darling Boy.

Lady Southesk appears to have resided with her husband on the Continent from 1723 to 1727. On the 25th November of the latter year, when just recovering from what she calls a severe fit of sickness, she wrote to

Lord Milton asking him to assist her in obtaining a pass to return to Scotland.[1] She stayed, it would seem, at Rotterdam from July to 6th November 1727, waiting for a pass from the British Government.[2] The exact time when she obtained permission to return to Scotland, and the place where she resided, during nearly a year and a half, from November 1727, are uncertain; but on the 4th of June 1729, she, along with her sister, Lady Catharine Stewart, arrived at Edinburgh from Holland.[3]

The only issue of the marriage of Lord and Lady Southesk, besides Lord Carnegie, was a daughter, Lady Clementina Carnegie. She was brought up in Scotland while her parents were abroad; and it was probably the indisposition of this child which induced her mother to leave her husband and to return to Scotland in the summer of 1729. The untimely death of Lord Southesk took place soon after, and his death was followed within a month by that of the daughter, both events having happened within seven months of the Countess's return to Scotland.[4]

After her husband's death the Countess-Dowager, who survived him about seventeen years, lived for some time with her brother, Lord Garlies, afterwards Earl of Galloway. His Lordship, in a letter to Sir Alexander Murray of Stanhope, dated 12th May 1730, writes, 'Sister Southesk and my spouse make their compliments to you.'[5]

Having remained a widow three years, the Countess-Dowager of Southesk married another prominent leader in the Jacobite cause. This was John Lord Sinclair, who, as Master of Sinclair, took a leading part in the insurrection of 1715 on behalf of the exiled Royalists. Lord Sinclair compiled a full account of the Insurrection, a portion of which, from the original MS. which is preserved at Dysart House, has been printed by the Abbots-

[1] Original Letter at Salton.

[2] Lockhart Papers, vol. ii. p. 379. We learn from Lockhart that while thus waiting at Rotterdam, Lady Southesk received a letter from the exiled Queen at Bologuia, acquainting her that the King had desired her to repair to him at Avignon, but that, for various reasons stated in the letter, she had declined the journey at that time.

[3] Weekly Journal or British Gazetteer, Saturday, June 14, 1729.

[4] The Earl died in France on the 10th of February 1730. Lady Clementina Carnegie died at Edinburgh on 26th March 1730, and was interred in Lord Balmerino's burial-place at Restalrig, on the 30th of that month.—[Weekly Journal, No. 248; Daily Courant, No. 8855; Daily Post, No. 3291.]

[5] Murray MS. in Advocates' Library.

ford Club. The marriage was celebrated on the night of Thursday the 16th August 1733.[1] Under the designation of the Honourable Margaret Lady Sinclair, she was infefted in an annuity of 5000 merks furth of the baronies of Ravenscraig and Dysart, on 30th December 1735. Lady Sinclair died without issue, at Edinburgh, on the 22d July 1747. The Mortality Record of the parish of Dysart in Fife, in which Dysart House, the residence of Lord Sinclair, is situated, contains exact information as to the grave of Lady Sinclair. The record bears, that on the 28th July 1747, 'the corpes of Lady Margarat Stewart, spouse to Lord Sinclair, was buried 'in his own burial place at the east end of it, a grave brca[dt]h north the 'kirk wall, and the foot of her grave is close to the gavell of the kirk wall.'

A contemporary newspaper contains the following notice of her ladyship's death and character:—'Yesterday, at 2 o'clock in the afternoon, died 'here, aged 50 years, the Right Honourable Margaret Lady Sinclair, 'daughter to the late Earl of Galloway, and sister to the present Earl. 'She was first married to Robert (James) late Earl of Southesk, and after-'wards to John the present Lord Sinclair, and has left no issue. This 'noble lady was possesst of very transcendent qualities, being remarkable 'for her excellent good sense, generous and benign temper, with a polite 'and engaging mien, which endeared her to all ranks. Her death is re-'gretted as a public loss.'[2] Lady Sinclair was survived by her second husband about three years. He died in November 1750, and his grave in the churchyard of Dysart is described in the Record of Burials of that parish.[3]

On the death of James fifth Earl of Southesk in the year 1730, without surviving issue, the male representation of the Southesk family devolved on his cousin Sir James Carnegie of Pittarrow, who, but for the attainder, would have become sixth Earl of Southesk, and would have inherited the territorial earldom with the personal title of honour.

[1] Caledonian Mercury, No. 2086; Gentleman's Magazine, vol. iii. p. 438.

[2] Caledonian Mercury, No. 4179, published at Edinburgh, Thursday, July 23, 1747.

[3] 'November 9, 1750, the corpes of Lord 'John St. Clair was buried in his own 'buriall place clos doun by the kirk wall, 'and the foot of his grave went east to the 'givell of the kirk. His bowels was buried 'about a large yeard west the head of his 'grave clos down by the kirk wall.'

XV.—Sir James Carnegie of Pittarrow and Southesk, Baronet, [and but for the attainder, sixth Earl of Southesk], 1729-1765. Christian Doig, Co-heiress of Cookston and Balyordie, 1752-1820.

Sir James Carnegie, the third Baronet of Pittarrow, succeeded his father Sir John Carnegie, the second Baronet,[1] on the 3d of April 1729.

When he inherited the Pittarrow property, Sir James was only thirteen years old. In the following year he became the heir-male and representative of the noble family of Southesk, by the death of James the fifth Earl. Andrew Fletcher of Salton, Lord Milton, and Sir Alexander Ramsay of Balmain, who were guardians to Sir James, were anxious to secure his being brought up with a firm attachment to the Government. The Countess Dowager of Southesk, on the contrary, wished him to be educated under the influence of Jacobite principles, and so anxious was she to have these principles instilled into him, that she offered to be at the expense of his education, if only she could get the boy out of their hands. His guardians, however, stood firm, and determined that he should be sent to the University of Glasgow. They had some difficulty in providing funds to maintain him there, as the whole of his free income during his mother's lifetime was not more than £20 a year; but they succeeded in making arrangements with the Principal, Neil Campbell, to take Sir James into his house, and to pay particular attention to his education. After Sir James had entered the University of Glasgow, Lord Milton wrote him the following letter of advice:—

Dear Cousine,—I have received yours of the 23d instant. You are with two very good masters. As to what is proper to be given to the Masters, the principall is certainly the best Judge, and if he think you should give another guinea to professor Dunlop, do it, for you had better save any way as off your Masters. By haveing such Masters, and the favour shoun you by the principall, you have certainly an opportunity put in your hand, of profiteing in your studies, and

[1] An account of Sir John and his predecessors in the Pittarrow line, will be given under the Pittarrow Branch *infra*, which, it may here be sufficient to mention, originated in Earl David's fourth son, Sir Alexander Carnegie, whose eldest son, Sir David, being created a Baronet in 1663, transmitted that title to his son, Sir John, father of the subject of the present memoir.

makeing up all the bygone lost time; and, therfore, I am perswaded you'l ply your book closs, while you'r at it, at your regular hours, both in the class and in your chamber; and when your hours of diversion are, be as busy at that, and never permitt your self to be idle. Be either busy at your book, or at your play. According as you behave now, so it will fare with you, all your dayes. If you be diligent, the world will esteem you, your freinds will do all they can for you, and you may thereby come to make some figure, whereas if you be idle your friends will neglect you, the world will dispise you, and you'l turn a burthen to your self. The inclosed you'l deliver to the principall. I wish you good health and success in studies, and am,

My dear Sir James, your most affectionate Cousine,

ANDR. FLETCHER.[1]

Salton, 28th October 1730.

In consequence of the depressed condition of their ward's affairs, his guardians, in the year 1730, memoralized Sir Robert Walpole, Chancellor of the Exchequer, in his behalf. In their memorial they set forth that Sir James Carnegie was the heir-male of the late James Earl of Southesk, upon whom the estate and honours must have descended, had not the forfeiture intervened, and that this great loss had befallen him without any fault of his own, or of his ancestors, who were zealous assertors of the revolution principles; that his grandfather, Sir David Carnegie of Pittarrow, in obedience to a commission from the Privy Council, in June 1690, raised and armed 400 men, and at their head defeated and scattered the Highland rebels who had assembled at Cutties-Hillock; that these rebels, out of revenge, afterwards reassembled and came down, to the number of 3000 and upwards, upon Sir David, who, being unsupported and outnumbered, had his house of Pittarrow plundered, his tenants ruined, and his lands laid waste, for which indeed he received a compensation of £442, 8s., but which was far from covering his actual loss; that application was thereafter made to the Parliament in 1695, and that they recommended the case to King William, but that nothing was ever done towards repairing his losses; and that the debt upon their young ward's estates was in a great measure owing to the zeal of his ancestors for the Government. The memorialists therefore humbly hoped that some provision would be made by his Majesty, by way of pension, for defraying the expenses of the education of their ward.

[1] Original Letter at Kinnaird.

They further represent that they had gronnd to believe that some concealed subjects which formerly belonged to the late Earl of Southesk were now in the possession of parties who had no right to them; and they therefore humbly prayed that his Majesty would be graciously pleased to make gift of these poor gleanings in their favour for the nse of Sir James.[1]

In forwarding this memorial to Lord Ilay, who was then Secretary of State for Scotland, that he might lay it before Sir Robert Walpole, Lord Milton wrote that where he had any influence he had always made it his study to educate young folks in an attachment to the Government, and that for that purpose he had sent this boy to Glasgow, and boarded him with Principal Campbell. If the grant prayed for could be got, to enable him to carry on the education of his ward, he would endeavour to educate him in a jnst sense of gratitude to the Government; and as his family had great interest by their numerous relations, in both the counties of Angus and Kincardine, he hoped to improve that interest in the best manner, for the service of the Government and the then existing administration.

Should such a grant be refused, Lord Milton added, the effects being in the hands of the Jacobites, they would not part with a shilling nnless they had the direction of his education. Lady Sonthesk had said that provided she got him ont of his Lordship's hands, she would be at the expense of his education. His Lordship had stood ont upon terms, and insisted on having the direction of his education, unless the Countess and those who were possessed of these latent subjects made a final settlement in his favour, 'and we are now talking at a distance, till I see if anything 'can be done in the way I wish.' If Lord Ilay gave him no encouragement, he wonld have to submit to what her ladyship and the Jacobites shonld think proper; for Sir James, while his mother lived, had not £20 a year free to educate him.

Lord Milton further said, that he thought it a pity that the Jacobites should be allowed to run away with such sums, putting what they pleased in their own pockets, and laying out the remainder in breeding Sir James a Jacobite, when that money could so easily be converted to a better

[1] Original Draft Memorial at Salton. Printed in Minutes of Evidence of Southesk Peerage, p. 164. Original Draft Letter at Salton.

use, in bringing up a family of some distinction in the service of the Government.

All the opposition, continued Lord Milton, which he foresaw, could only come from Lady Southesk and Lord Stormont, neither of whom was much entitled to favour from the Government. Her ladyship, although she had more than £600 per annum of jointure, besides money in her pocket, and valuable furniture, was grasping at all, on pretence of a will of her husband's, dated at Rome, some months before his death. Lord Stormont, as heir of line,[1] is in quest of what he can get, but nobody espouses his interest, or thinks his demands reasonable. Both his Lordship and Lady Southesk endeavoured to retain Duncan Forbes, but he avoided being concerned, these latent subjects being, as he said '(*quoad* one in his ' office), *extra commercium.*' But since they bespoke his friendship first, all that could be reckoned upon from him was that he would be a neutral prince.[2]

About the same time Lord Milton addressed another letter to Lord Ilay, in which he says, that upon the news of Lord Southesk's death, Lord Garlies wrote to Mr. Heron to apply to Sir Robert Walpole to obtain a clause in an Act of Parliament for vesting in his sister, Lady Southesk, for behoof of herself and her daughter, such part of the estate of the late Earl as was not discovered by the Commissioners of Estates, and sold by them to the York Buildings Company. The late Lord having left only a daughter, the estate and honours, had there been no forfeiture, would have descended to Sir James Carnegie of Pittarrow, an infant. But by the forfei-

[1] The Lord Stormont here mentioned was David fifth Viscount Stormont, son of David second Lord Balvaird and fourth Viscount Stormont, by his wife, Lady Jane Carnegie, eldest daughter of James second Earl of Southesk. Lady Jane's only sister, Catherine, married Gilbert Earl of Errol, but had no issue. Her only brother, Robert third Earl of Southesk, who married Lady Anna Hamilton, had two sons, Charles, who succeeded him, and William, who was killed in an encounter at Paris in 1681, and died unmarried. Charles fourth Earl of Southesk, who married Lady Mary Maitland, had a son, James, who succeeded him, and two daughters who predeceased him, both without issue. James fifth Earl of Southesk, who married Lady Margaret Stewart, had a son, James, who predeceased him in 1722, and a daughter, Clementina, who died a month after him, in 1730, both without issue, when David fifth Viscount Stormont thus became heir-of-line of the Southesk family.

[2] Original Draft Letter at Salton.

ture he is cut off from both, and he remains chief of the name, with a small estate much burdened. And if the King should be graciously pleased to show his favour to the innocent, in the manner above mentioned, some regard was to be had to the honour and representation of the family, and the rather that the representative was young, and might be educated in a loyal attachment to the Government.[1]

These letters sufficiently demonstrate the unsatisfactory condition of Sir James's affairs during his minority; yet, bad as they were, by the good management of his excellent guardian, Lord Milton, and the influence which he possessed with the Government, assisted by Sir James's own abilities and energies, he was ultimately able to purchase the Southesk estates, and thus to restore the fallen fortunes of his family.[2]

In the following letter to Lord Milton, dated 3d December 1737, Sir James thus lays before him his views in regard to the profession which he proposed to follow :—

Montrose, December 3, 1737.

My Lord,—'Tis now high time for me to think of some way of employing myself in this world; for of all trades an idle life is surely the worst. The gown seems to be attended with such difficulties now a dayes, that there is small prospect of doing oneself any great service that way in half a lifetime; so that a competent knowledge of that business, sufficient for the management of one's private affairs, is all I propose to attain to. The army is then the next method by which men do now propose to better themselves and their fortunes, and is the way already followed by Lord Panmuir. Your Lordship very well knows I have no hopes of bettering the present ill state of my affairs but in a Parliamentary way. This method, then, of going into the army is, as it were, giving forehand security, and a very ready [way] of recommending one's self. Besides, if I propose to follow that out, I can't enter too soon; for tho' I were in Parliament, I could have no reason to expect any considerable rank, except I had some rank before; as Panmuir could never have got a company at first, had he not been an ensign before. This is suggested to me by him, Garlais, and St. Clair, whose advice I have asked upon that subject. There is just now a vacancy in Middleton's, a Regiment I would make choice of, upon account of Panmuir, as well as the Colonell, besides other reasons. These particulars I humbly offer to your Lordship's better judgement, begging you'll be so good

[1] Original Draft Letter at Salton.

[2] Sir James was served heir to his father in the barony of Pittarrow on 16th December 1735. He was infeft in the barony on 12th April following.—[Precept and Sasine at Kinnaird.]

as to send me your advice in an affair of such consequence as this is to me, by David Anderson, who will present this to your hands from one who is,

My Lord,

Your Lordship's affectionate cousin and most humble servant,

JAMES CARNEGIE.

Montrose, December 3d, 1737.

The Right Honorable The Lord Justice Clerk, at his Lodgings in Edinburgh.[1]

Sir James continued to cherish his desire of entering Parliament, and in the prospect of a general election, he wrote a letter to Lord Milton, to whom he looked with hope for recovering his shattered affairs, earnestly soliciting his support. 'One of your Lordship's delicate turn of thinking,' he says, 'can only taste the heartfelt joy of restoring a sinking family. A family 'allied and obliged to your Lordship's will greedily embrace every oc- 'casion of showing that the ties of nature and gratitude equally devote 'them to its interests.'[2]

Being still anxious to obtain the honour of a seat in Parliament, as member for his native county of Kincardine, Sir James wrote a letter to his aunt, the Lady of Salton, earnestly requesting her to use her influence with her son, Lord Milton, on his behalf.[3] Sir James was successful in carrying his election as member for Kincardineshire. On the day of the election (in June 1741), at six o'clock at night, he wrote from Stonehaven to Lord Milton, informing him of the result. He considered himself obliged to steal a moment from amongst the merriment and congratulations of his friends to thank his Lordship for his many favours, and particularly for his assistance in making him victorious over his enemies on that day, his election having been just then so triumphantly carried that there was not an opposing vote.[4]

From the time that he took his seat in Parliament, Sir James was most attentive to his duties. From his letters addressed at this time to Lord Milton, he appears to have taken a lively interest in Parliamentary affairs in general. Writing to his Lordship on 23d January 1742, he gives some

[1] Original Letter at Salton.

[2] Original Letter, dated 10th May 1739, *Ibid.*

[3] Original Letter, dated 22d May 1740, at Salton.

[4] Original Letter at Salton.

interesting details of the proceedings of the House of Commons at that period. A motion, he narrates, was made that a select committee should be chosen by ballot, as was done in 1715. The pretence for this motion was that his Majesty in his speech had asked advice from his Parliament, and that they could not give it without having papers before them, the production of which the Ministry held to be dangerous. Many spoke in favour of the motion. They declared that no attack was designed upon the Ministry, as they were already sunk so low, and their credit so fallen, both at home and abroad, that it was not necessary to employ any means whatever to help them forward in their headlong career; and that the fact of their advising the King to ask advice of Parliament was a proof that they themselves had none to give. Government was at a stand, and could no longer carry on the business of the nation. One representative who is alluded to, apparently the member for Haddington, began a set speech, and pronounced the first three sentences with great spirit and assurance; but attempting to interlard it with some observations upon what had been said by a preceding speaker, he forgot his lesson, and sat down in the greatest imaginable confusion. Pelham opened in defence of the Ministry. He contended that no papers relative to past conduct had been moved for, and therefore none had been refused; that the precedent of 1715 was not the appointment of a committee to give advice, but simply to inquire into the actions of an administration which was not then in power; that the present motion had no precedent since 1671, when a committee of secrecy and safety was appointed; that the [royal] prerogative was to make peace and war, and that, by asking advice, his Majesty had suspended it; that another prerogative of his Majesty was to name his own council and servants, but the supporters of this motion were to invest the Parliament with the power of naming both; and that it was a mere pretence that any papers were kept secret, since many members had already copied them all. Other speakers followed, and the House divided, when the result was, 253 for the Ministry, and 250 for the motion. Almost all the members, even the sick and the lame, were present at the division. Sir W. Gordon came in at six o'clock at night, more like a ghost than a member of Parliament.[1]

[1] Original Letter at Salton.

Soon after Sir James entered Parliament, Lord Ilay, the Secretary of State for Scotland, wrote to Lord Milton that 'Sir James Carnegie pleases 'here very much. He is a very sensible young man.'[1]

Whatever the Ministry may have thought of Sir James, he did not look upon their state as flourishing. In a letter to Lord Milton in 1742, he says that 'catching fish in the river at Arnhall' (one of his estates in the Mearns) 'would have been a better trade than supporting a decayed administration 'is like to be, at least for this session.'[2]

He was a second time unanimously elected member for Kincardineshire at the general election in 1747; and, on this occasion, as formerly, he did not forget to write to Lord Milton acknowledging the great obligations under which he lay to his Lordship for the favours he had conferred on him, and the many friends his Lordship's name had secured for him.

About the year 1737, Sir James Carnegie entered the army, and in the end of the year 1744 he was appointed a captain in a 'marching regiment.' Next year he was with his regiment in Flanders, and took part in the battle of Fontenoy, fought 11th May 1745, between the French, under the command of Louis XV. in person, and the British, Hanoverians, and Dutch, under the command of His Royal Highness William Duke of Cumberland. In order to preserve the balance of power in Europe, the British, along with the Hanoverians and the Dutch, had taken part with the Queen of Hungary in her wars with the King of France and the Emperor of Austria. In pushing forward their conquest of Flanders, the French laid siege to Tournay; and the battle of Fontenoy was the immediate result of the endeavours of the allies to raise the siege of that place. The battle was bravely fought on both sides, though very unequally as regarded the allies, both as to position and numbers. As soon as the allies appeared in sight, the French crossed the Scheldt, and took up a strong entrenched position on the opposite bank. Their right flank was protected by the Upper Scheldt, and by the burgh of Antoin, surrounded by strong entrenchments mounted with heavy ordnance, and also by another battery on the opposite side of the river. In front of the right of their first line was the village of Fontenoy, from which the battle took its name, also entrenched and de-

[1] Original Letter at Salton.

[2] Original Letter, *ibid.*

fended by powerful artillery. Their left was well covered by a large wood, in which numerous guns were placed. They had also behind both wings powerful masked batteries, ready to open at the opportune moment. It is reckoned that the cannon of their entrenched position, and their outstanding batteries, amounted in all to no fewer than 200 pieces. Besides this terrible preparation for the reception of the allies, the French had rendered the advance of the allies more difficult by the cutting of trenches in the ground, and by the obstruction of the roads by cut trees, and otherwise. But in spite of all this, the allies came steadily on to the attack, the British on the right, the Dutch on the left, and the Hanoverians in the centre. The battle began with an attack by the Dutch, under Prince Waldeck, on the village of Fontenoy, which was twice repeated, but failed. The redoubt at the wood on the left of the French was also untaken, so that the allies had now to advance against storms of shot in front, with two unopposed batteries playing upon their flanks. Yet, in spite of the terrible odds against them, the British, who formed the right wing of the allies, pushed on so vigorously, that the French were in several places broken, and driven from their ground, and victory almost within their grasp. But fresh French troops coming up, the allies, who were now almost surrounded by batteries which continued to pour on them their deadly fire, were at last forced to retire and re-form. A second attack was then made by the right of the allies, and the French were again driven back, with great loss; but as the left of the allies took no part in the second attack, their right also was at last overpowered, and obliged to retire, when a general retreat was ordered and successfully effected, the French not attempting to pursue them. The loss of the allies was about 7000 or 8000 in killed, wounded, and prisoners, of whom above 4000 were British. The French stated their loss at 4500, which, however, was probably much greater. On this occasion, as is admitted on all hands, the Duke of Cumberland showed himself brave, vigilant, and active. The British infantry, in particular, did wonders, and the Hanoverians behaved well; but the Dutch conducted themselves indifferently.

The insurrection in Scotland on behalf of the Stuart family soon required the presence of the Duke of Cumberland, who hastened from Flan-

ders to Scotland to take the lead in crushing the insurrection. Sir James Carnegie returned with the Duke, and he was present at the decisive battle of Culloden, fought 16th April 1746, in which he displayed great bravery. His younger brother, George Carnegie, afterwards of Pittarrow, fought in the same battle, in support of Prince Charles, an example, in those times not uncommon, showing how members of the same family staked their fortunes on different sides in that exciting conflict. The details and general result of this battle are well known, and need not here be enlarged upon. The action commenced about one o'clock, with the fire of the insurgent cannon, which, however, were pointed too high, and did little execution. In a few minutes the Royal artillery replied, and being excellently served, soon made long lanes through the masses of the insurgents. This led to an immediate and furious attack by the whole insurgent clans, which the royal troops sustained with firmness, and repulsed with great slaughter, the royal cavalry at the same time charging their broken ranks and gaining a complete victory.[1]

With the battle of Culloden, the fortunes of Prince Charles perished, and he thenceforth wandered among his Highland hills a poor fugitive, seeking shelter in the humblest huts, and disguising himself in female attire. To the honour of his faithful Highlanders, the large reward of £30,000 which was offered for him was too small to induce them to betray the unfortunate representative of their ancient kings.

How different was the state of the victorious Duke! In pursuance of his object of completely suppressing the rebellion, soon after the battle of Culloden he fixed his head-quarters at Fort Augustus. Here, amidst the fatigues and hardships inseparable from military life, he made all about him as jovial as the place would admit of. A specimen of the amusements with which his Grace enlivened his camp is given in a letter, dated Fort Augustus, 17th June 1746, which narrates the amusements of the Duke and his officers. He gave two prizes to the soldiers to run heats for, on barebacked Galloway ponies, taken from the insurgents; eight started for the first, and ten for the second prize. These ponies were little larger than a large

[1] A list of colours taken from the insurgents at the battle of Culloden, and afterwards burned at the Cross of Edinburgh, will be found in the Appendix.

sheep, and there was excellent sport. On another day, the Duke gave a fine Holland smock to the soldiers' wives, to be run for on these ponies, also barebacked, and riding with their limbs on each side of the horse, like men. Eight started; and there were three of the finest heats ever seen. The prize was won, with great difficulty, by one of the Old Buffs' ladies. In the evening, General Hawley and Colonel Howard ran a match for twenty guineas, on two of the above ponies, which General Hawley won by about four inches.

Sir James Carnegie was in Holland with his regiment in 1748, and on 4th June that year he wrote to Lord Milton from the camp at Nestelroy. The British military on the Continent, he said, were generally more ignorant of the state of affairs in Europe, and even of their own motions, than those who lived in London or Edinburgh. They did not so much as know when they would leave the ground on which they were encamped, what route they should take, or when or where they should embark. They were quite in the dark as to the regiments which were destined for Ireland, and of the fate of the additional companies and new regiment. All that they did know was that duty was as strict as in time of war, that the Dutch were as uncivil as ever, and that no leave of absence to go to England on private business, however urgent, was granted.

Sir James Carnegie acquired right to a lease of the estate of Kinnaird while it was the property of the York Buildings Company or their creditors. He laid out a great deal of money in improving his lands at a time when such improvements were little understood by the neighbouring proprietors. How little his efforts were appreciated by his own dependants, is shown in a very lively manner by the following letter:—

My Lord,—Had it been convenient for you to have taken a jaunt in this country this summer, your friends would not only have had the pleasure of seeing you, but I should have received a considerable benefitt from your advice about my farm and undertakings at Kinnaird, which I confess I stand very much in need of. I am plagued with an old positive and ignorant fool for an overseer, and a pareell of rapacious dishonest knaves for servants, who having all been about this family and farm for many years, look upon it as a fund from which they have a right to appropriate all they can to themselves, without any concern for their master's interest. As I'm resolved to make a clean house of them all, I must beg your Lordship's

assistance to recommend to me a good sensible fellow for an overseer, who knows the management of farms in Lothian, and has lived in good rich soil such as mine is, for untill I get such a one I shall never be able to put my farm and servants in the order I propose, neither shall I be able to acquire any sort of knowledge myself in these matters, while the people I have to do with at present can give no other reason for their method than that it has always been the practice of their predecessors and neighbours round them. But such an overseer will put both me and them in a right way, and I'll take care he shall be obeyed. As I propose to keep such a one only for two or three years, I will readily give him any encouragement for that space of time. I should be glad to know how your Lordship proposes to spend this summer, whether among the goats in the Highlands, or the farmers and manufacturers about Manchester and Liverpool.—I am, with the greatest respect,

My Lord,

your Lordship's

most obedient and most humble servant,

James Carnegie.[1]

Kinnaird, 20th May, 1749.

Sir James Carnegie was re-elected member of Parliament for Kincardineshire at the general election in 1761, and again in 1765.

The following letter to Lord Milton shows the interest which Sir James Carnegie took in the promotion of two eminent lawyers, Lord Gardenston and Lord Monboddo, who were connected with the county which he represented, and both distinguished for their literary as well as their legal attainments :—

My Lord,—I was extreamly happy to learn this day from the Duke of Argyll, that your good offices in behalf of our friend, Frank Garden, will have the desir'd effect. His own meritt has engaged your Lordship in his favour : the great obligations Lord Panmure and I are under to him well entitled him to all the assistance Baron Maule and I could have given him, had it been necessary. As his promotion vacates the Sheriffship of our county, I thought I had some title to recommend his successor there, which being acknowledged by his Grace, I ventur'd not only to propose Mr. James Burnett, but so far to depend upon your Lordship's knowledge and good opinion of him, as to say that if your Lordship had any objection to him, I would not so much as mention him a second time. He is my near relation, and your Lordship is no stranger to his abilitys as a lawyer. It is to him, and to the rest of my mother's relations, that I owe all my natural interest in that county, for I am an Angus man by the other side. I hope, therefore, I have not presum'd too

[1] Original Letter at Salton.

far on your Lordship's friendship to me, in hoping and even trusting that you will not refuse your good word in Burnett's behalf, to help him to the only Sheriffship which, in my opinion, is proper for him, as, indeed, there is no one so proper for it. I have desir'd him to apply to your Lordship himself.—I have the honour to be,

Your Lordship's most obedient and most humble servant,

JAMES CARNEGIE.[1]

London, 25th March, 1760.

One of the latest letters written by Sir James Carnegie contains a report of the debates in both Houses of Parliament in December 1762, on the preliminary articles of peace between Great Britain, France, Spain, and Portugal, the definitive treaty of which was afterwards signed at Paris in February 1763 :—

IN the House of Lords, the debate was opened, and the motion for the address made, by Lord Shellburn. Hardwick, Temple, Newcastle, Grafton, etc., spoke against it :—the first like an unfeeling, distinguishing lawyer ; the second in vindication of German Wars ; the third in praise of Revolution principles,—that is in favour of faction ; and the last was personal against L[ord Bute]. The Chancellor spoke well, and fail'd not to show his predecessor and Newcastle how much he thought himself obliged to them : he said that L—'s speech ought to convince any one, if reason could. The D[uke] of Cum[berland] even said, next day, that he had never heard a speech so becoming his high station, and deliver'd with so much dignity as L—'s. His Lordship, in taking notice of Grafton's personal reflection, said he excused it on account of his youth and ignorance of Parliamentary language ; but that if he had any real meaning, his Grace ought to know this was not the proper place. He made some apology, which I suppose was excepted, else the house would have interposed. Mansfield spoke long, and, 'tis said, shortened their time by exhausting the subject, complicated as it is. They were sensible of their weakness, and would not show it by dividing, and rose about 9 o'clock.

In the debate in the Commons it was first proposed to refer the preliminaries to a Committee, examine at the Bar, etc., which took up two hours, and was over-ruled without a division, as tending only to take up time, for at least 2 months—perhaps, after the definitive treaty should be actually signed. Then the address was moved by Mr. Harris, and seconded by Lord Varney ; after which Mr. Stanley spoke extremely well, as having been our negotiator last year. Then Mr. Pitt, dress'd up in flannells, and leaning upon a crutch, sometimes standing and sometimes sitting in his place, entertained us for $3\frac{1}{2}$ hours, without any other respite than the swallowing a pocket

[1] Original Letter at Salton.

glassfull of cordial. His speech was languid and unanimated, full of digressions, and in vindication of his own measures when in, and schemes when he resigned: yet he went thro' all the articles, comparing them with what was offer'd us last year, and with what we must have had, if we had continued a campaign or two longer; concluding with these articles being insecure, inadequate to our successes and expences, and inglorious: and, lastly, that he believed he would never trouble the House much more, which I pray may be true! Charles Townshend, whose conduct and speeches have of late been very dubious, and who had that morning resigned his office, surprised us all, and, I believe, the Ministry themselves, with a very fine speech in favour of the peace,—fully answering in 25 minutes all the objections of $3\frac{1}{2}$ hours. It seems a message was sent by N[ewcastl]e to his friends not to divide; on which above 20 went out: but Dempster would not part with it so, and divided the House, being 319 to 65. Townshend happening to joke Fox with alledging that this was one of his old tricks, they have got hold of it, and many look upon poor Dempster as a spy and a traitor, but very unjustly. The subject was next day renewed afresh, and those who could not get in before, now discharged their studied matter. Glover went thro' our finances, our trade, and our numbers of people; showing from thence our inability to proceed longer. He spoke long, but very accurately; but the subject being dull of itself, we were very weary of him. Great light was thrown this day upon the subject of those merchants and others who mentioned many particular facts in contradiction to what had been suggested by the enemy. Mr. York made a most trimming speech, which gave his brother, Norton the Solicitor, occasion to say that he knew not what opinion he held, tho' he had attended to him a full hour. He went away this day also, and by the division they were two short of yesterday. This great and, I dare say, unexpected majority has given liberty to his Majesty, power to his Minister, and peace to his people,—I hope even domestick peace. Popular tumults will subside, and that spirit of insolence and indecency, which has of late prevailed in writings and etchings, will meet with just contempt—I mean not correction, for that's the right way of encouragement. Many gentlemen are candid enough to acknowledge how much they were misled and poison'd by news papers and weekly essays, and had their eyes opened only by what they heard by these two days' debates. The Sons of Cakes have been steady. Shawfield was angry last year because another got what he sought.[1]

A great event in the life of Sir James was his acquisition of those portions of the forfeited estates of the earldom of Southesk, which were situated in the counties of Forfar and Kincardine. After the forfeiture in 1716, they were sold for £51,549, 7s. $4\frac{5}{12}$d. sterling, to the Governor and Company of Undertakers for raising the Thames Water in the York Build-

[1] Original Reports at Salton.

ings, who purchased several other forfeited estates in Scotland, including those of Panmure and Marischall. On the failure of that Company, their estates in Scotland were sold. The estate of Southesk, so far as it had been leased by the York Buildings Company to Sir Archibald Grant and others, was exposed for sale in the Parliament House, Edinburgh, on the 19th of December 1763, and again on 20th February 1764, at the upset price of £36,870, 14s. 2d. sterling;[1] and this comprehended the baronies of Kinnaird, Farnwell, Carnegie and Panbride, Kinnel, Fearn, and Brechin, all in the county of Forfar, and the lands of Fairnyflet and Largie in the county of Kincardine.

Sir James Carnegie offered the upset price for the Southesk estates, and was preferred to the purchase. He took good care, it is said, to prevent competition at the sale; and it is well known that persons who, in other cases, competed with the representatives of families for the purchase of their forfeited properties incurred great unpopularity.

The Lordship of Leuchars in the county of Fife, and the barony of Arnhall in the county of Kincardine, both forming part of the Southesk estates, were not then sold, being under lease to Sir James Carnegie. Leuchars and Arnhall, however, were purchased by his son, Sir David, the former in 1782 for £20,600, and the latter in 1779 for £7300 sterling.

Soon after the acquisition of the Southesk estates, Sir James Carnegie sold the lands of Carnegie, Glaster, Panbride, and the superiority of Balmachie, which he had previously purchased, to William Earl of Panmure, who at the same time sold to Sir James the lands of Over and Nether Kincraigs, Balbirnie Mill, Pantaskall, the half of Arrat, being all parts of the barony of Brechin and Navar, in the parish of Brechin, and also the salmon-fishings in the river Southesk. These exchanges of lands were obviously for the mutual advantage of the respective owners of the Southesk and Panmure estates.

Before the feudal titles to the Southesk estates were made out, Sir James Carnegie died, and the estates became vested in his testamentary trustees.[2]

[1] The estates of Panmure and Marischall, so far as under similar leases, were, at the same time, sold at the upset prices of £49,157, 18s. 4d., and £31,320.

[2] Original Crown Charter, dated 23d February 1767, and Sasine thereon dated 4th, and registered in the General Register 11th April 1767, both at Kinnaird.

To enable the trustees to pay the priee of the Southesk estates, it became necessary for them to sell Pittarrow and the other estates in the county of Kincardine, as well as part of the Southesk estates in the eounty of Forfar. Lady Carnegie also sold her own estate of Balyordie for the same purpose.

The Pittarrow estates, including Pittarrow, Mill of Conveth, Auehinzeoch, Drumtochty and Frierglen, Carnbeg and Odmeston, Redhall, Balfeich, Cushnoe, etc., realized about £15,000. This was exelusive of the lands of Mondynes, Knockbank, Auehtochter, and Knoekhill, which formed part of the Mearns estates of Sir James Carnegie, and were sold by him, previous to his death, to Sir William Nieolson of Glenbervie.

The barony of Fearn realized the priee of £11,340, 5s., and the estates of Balyordie and Balrownie £6845.

In addition to these large sales, the trustees sold to Robert Speid of Ardovie, one of their number, the farm of Middledrums, near Kinnaird, ineluding the pendicles of Mavis Bank, for £643, 10s. It was represented to the trustees that Sir James had agreed to sell to Mr. Speid that farm, to accommodate Mr. Speid, and enable him to make improvements, and to finish some enclosures upon his estate in that neighbourhood. The trustees also sold to Lord Panmure parts of the farms of Dalgety, Middledrums, and East Drums, for £394, 2s. 6d. These sales enabled the trustees to complete the purchase of the Southesk estates by the payment of the price, and to eonsolidate the family estate chiefly in the old territorial earldom of Southesk.

Sir James Carnegie married Christian, eldest daughter and one of the three co-heiresses of David Doig of Cookston, in the eounty of Forfar, by his wife Magdalene Symmers, heiress of Balyordie, in the same county.[1] Their contraet of marriage is dated 18th June 1752, and they were married on the 5th of July following. By virtue of the precept in the eontraet, Lady Carnegie was infefted in an annuity of £100 sterling out of the barony of Pittarrow.[2] Her tocher under her marriage-eontraet was £3000 sterling;

[1] A pedigree of the family of Symmers is given in the Appendix.

[2] Sasine dated 1st October, and registered in the Particular Register at Aberdeen 5th November 1753. Also Register of the Session-Book of Montrose.—[Minutes of Evidence in Southesk Peerage, p. 203.]

but Lady Carnegie being one of the co-heiresses of her father, Sir James, on her father's death, acquired a much larger fortune with her. Of this marriage there was a family of four sons and two daughters:—

1. David, who succeeded his father Sir James.
2. James, who was born on 5th March 1756. He was provided by his father to a patrimony of £2000, by a bond dated 20th April 1765. After his death, which took place when he was aged only ten years, on 25th December 1766, at Arbuthnott, where he was buried, this sum was equally divided amongst his two brothers and sisters.[1]
3. John, who was born on 13th August 1757. He adopted the military profession, and was for many years an officer in the 11th regiment of light dragoons. He afterwards became a lieutenant-colonel. On the 4th July 1780, as second surviving son, he granted a discharge to his mother, Lady Carnegie, and his brother Sir David, for his own portion, and also for his share of the patrimony of his late brother James.[2] That discharge narrates the care, attention, and discretion with which his mother had managed his patrimony during his minority. John Carnegie married, in October 1791, Catherine, only daughter of Mr. Tireman, sub-dean and prebendary of Chichester. Of this marriage there was one son, the Rev. James Carnegie, Vicar of Seaford, Sussex, who was born in 1795, and who married, but died without issue on 8th February 1864. Colonel John Carnegie died in Boreham Street, Sussex, on 29th September 1823, aged sixty-seven years, and was buried there, but was afterwards removed to Seaford, Sussex. His wife survived him, and died on 25th December 1824, aged seventy-one years.
4. George, who was born at Kinnaird on 2d January 1759, as appears from a letter, dated the 4th of that month, from his father to Lord Milton, in which he says that 'Lady Carnegie has just now brought me a fourth son.'[3] George Carnegie was bred to the law, and was admitted an advocate at the Scottish bar in 1782. On the 26th May

[1] Original Account dated 1774, and entry in family Bible at Kinnaird.
[2] Original Discharge and family Bible at Kinnaird.
[3] Original Letter at Salton, and family Bible at Kinnaird.

1780 he granted a discharge to his mother, Lady Carnegie, and his brother, Sir David, for his own patrimony, and also for his share of that of his late brother James. The discharge also specially records the care, attention, and discretion with which his mother had managed his patrimony during his minority.[1] By his will, which is dated at Edinburgh, 28th March 1786, Mr. George Carnegie bequeathed his whole moveable estate to his brother John and his sisters Mary and Elizabeth. He died, unmarried, at Edinburgh, on 19th May 1786, aged twenty-seven years.

5. Mary, the elder daughter, who was born on 21st August 1760. She granted, on 9th January 1784, a discharge for her provision made by her father, and for her share of the patrimony of her brother James, in terms similar to those of the discharges by her brothers, John and George.[2] She died, unmarried, at Seaford, Sussex, on 6th February 1828, aged sixty-seven years, and was buried there.
6. Elizabeth, the younger daughter, who was born in 1763. She also granted, on 20th December 1784, a discharge for her provision made by her father, and for her share of the patrimony of her brother James, in terms similar to those of the discharge by her sister Mary.[3] She died, unmarried, at Mountquhanie, in the county of Fife, on 25th July 1836, aged seventy-three years, and was buried in the churchyard of St. Cuthbert's, Edinburgh.[4]

   One who knew these two ladies well, described them as having been tall, stout, and handsome. To all with whom they were connected they were most exemplary; and they did good wherever they resided.

For some years before his death, Sir James Carnegie had been occasionally indisposed. In November 1761 he was subject to bleeding at the nose. His friend, the Laird of Ury, in a letter to him written on the 2d of that month, expresses the great concern it gave him to hear of his illness. 'I

[1] Original Discharge at Kinnaird.
[2] *Ibid.*
[3] *Ibid.*
[4] The dates of the births, deaths, etc., of the family of Sir James Carnegie are taken chiefly from entries in a family Bible at Kinnaird.

'mounted my beast next day,' he writes, 'and came as far as Montrose, not 'only to enquire after your welfare, but, knowing you was upon the point 'of setting out for London, thought you might want some assistance about 'any little affairs you had to do in the country.' Mr. Barclay was agreeably surprised when informed at Montrose that Sir James had started for London. He closes his letter by heartily joining in Sir James's prayer that they might both be delivered from trials, lawyers, and doctors, and from having dealings with unreasonable men.[1]

On his return to Scotland from his services in Parliament, Sir James Carnegie died of apoplexy at Stamford, on 30th April 1765. His body was interred in the middle aisle of St. Martin's Church in Stamford, on the south side of the river. The grave was built round with bricks, and the coffin covered with oak planks before the earth was thrown upon it. A plate on the coffin contained the following inscription:—'Sir James Carnegie of Pittarrow, North Britain, Baronet, died 30th April 1765, aged 50 years.'[2]

Sir James was survived by Lady Carnegie for the long period of fifty-five years.[3] She continued to reside at Kinnaird with her son, Sir David, till his marriage in 1783, when she removed to a house in the High Street of Montrose, where she resided with her two daughters, Mary and Elizabeth, till her death. During their residence both at Kinnaird and Montrose, these ladies were very charitable to the poor of these places.

Christian, Lady Carnegie, died at Montrose on 4th November 1820, having attained the advanced age of ninety-one years, and on the 10th of the same month was buried in the churchyard of the parish of Farnell, where a monument was erected over her grave bearing the following inscription:—'Sacred to the Memory of Dame Christian Doig, Relict of Sir James Carnegie, Bart., of Southesk: Died 4th November 1820, aged 91 years.'[4]

After her death her two daughters lived in England, until the death of Mary, when Elizabeth returned to Scotland.

[1] Original Letter at Kinnaird.

[2] Register of St. Martin's, Stamford; and Account of the Funeral Charges at Kinnaird. Sir James Carnegie occasionally courted the Muse, and several of his poems are preserved at Kinnaird.

[3] Her daughter-in-law, Agnes Lady Carnegie, survived her husband, Sir David Carnegie, also for the same long period of fifty-five years.

[4] Record of Dead for the Parish of Montrose, and inscription.

XVI.—Sir David Carnegie of Southesk, Fourth Baronet, (and but for the attainder Seventh Earl of Southesk), 1765-1805. Agnes Murray Elliot, Lady Carnegie, 1783-1860.

Sir David, when he succeeded his father in 1765, was only twelve years of age, having been born on the 22d November 1753.[1] His affairs were managed chiefly by his mother, Lady Carnegie, and Lord Milton, who, along with Sir Alexander Ramsay of Balmain, Mr. John Mackenzie of Delvin, W.S., Mr. Colquhoun Grant, W.S.,[2] and others, were appointed trustees by the late Sir James. Sir James's trustees, as already explained in the memoir of his life, sold the barony of Pittarrow and other lands for the purpose of paying the price of the Southesk estates, which he had purchased shortly before his death. In the course of ten or eleven years, Lady Carnegie, and the other trustees of her late husband, paid off the debts on the Southesk estates, and were thus enabled to convey them free to Sir David on his coming of age.

Sir David was educated successively at Eton, St. Andrews, and Christ Church College, Oxford. On his entry at the latter University, one of his fellow-students, George Stewart, Younger of Grandtully, to whom he was introduced, thus describes the young baronet :—

Christ Church, Oxon, January 12, 1772.

Dear Father,— . . . I have found Sir David Carnegie answer the character you gave of him in your letter. I have been in company with him several times since

[1] Entries of Births in family Bible at Kinnaird.

[2] Colquhoun Grant was Sir James Carnegie's law agent in Edinburgh, and was continued in the same capacity by Sir James's trustees, and also by Sir David Carnegie. Much of Colquhoun Grant's correspondence is still preserved at Kinnaird. His letters reflect much credit on his care and accuracy as a law-agent. Sir James Carnegie appears to have been his first employer, although the early Jacobite principles of the agent were quite opposed to the politics of Sir James. In Kay's Portraits there is a full-length sketch of Colquhoun Grant, and a very amusing memoir of his life. He fought at the three principal Jacobite battles of Prestonpans, Falkirk, and Culloden. For his successful exploits at the first of these battles, he was publicly thanked by Prince Charles at Holyrood.—[Kay, vol. i. pp. 419-421.]

his coming here, and a night or two ago I sup'd with him in his own rooms. His behaviour is very much liked, and I shall be very much to blame if I neglect cultivating his acquaintance. It is said he lays claim to the forfeited title of Lord Southesk, in consequence of his being descended of the family, not lineally, for in that case he could have no plea, but by a collateral branch. I should be glad if you would hint to me in your next the conjectures of our Scotch friends on that subject, or whether there is any foundation for the report. He comes from St. Andrews, so that he is acquainted with Sir John Oglevy's son, and by his being an Angus man he is not ignorant of Sir John's connections. He was at Eaton school before he went to St. Andrews, by which means he has got a good number of English acquaintance.[1]

In the year 1773, when Lord North was installed as Chancellor of the University of Oxford, Sir David, indulging the inspiration of his muse, wrote the following verses in commemoration of that event :—

When first Apollo and the Aonian Maids
From heaven descended, by the sacred Fount
Of Hippocrene, or on Pindus top,
They chose their habitation; and from thence
Circling fair Greece, and all the clustering Isles
Which crown the Ægean, o'er the favoured land
Their influence shed; bade Science raise her head,
Nursed with fond care the tender infant Arts,
And fired with rapture all the Poet's breast.
But whence thus favoured? Why did Greece alone
Their presence claim, and wanton in their smiles?
Tell me, ye Nine! what secret charm endear'd
Those snow-clad mountains, and those barren plains?
Hark! Hark! each voice in accents rapturous
Proclaims *'Twas Liberty;* each vocal lyre,
Awakening at the name of Liberty,
Breathes forth the praises of the mountain Nymph.
Each Sage divine, each bard of antient Greece,
Join in her train, and own her fostering power.
But chief Cecropia, favour'd land of Heaven,
Pours forth her numerous progeny divine
To hail the Goddess; Pallas leads the Band
Triumphant, and with secret rapture views
The sons of her own Athens; those who taught

[1] Original Letter at Murthly.

Sublimest truths in Academus Grove,
And oft detained Ilissus' gentle stream
With sounds Socratic, which harmonious flowed
In secret numbers from their honied lips;
Or those, whose thundering eloquence struck mute
The listening crowds, and with resistless force,
Impetuous like a mountain torrent, burst
Each obstacle, and forced even Faction's sons
In silent awe to crouch beneath its power.
Nor less delighted did Minerva view
The godlike sons of grave Melpomene,
Or those who sported in Thalia's train.
But ah! how changed the scene! behold the youth,
The scourge of Asia's pride, with fury drives
His thundering chariot o'er the wretched land,
While Desolation marks his vengeful path.
The Muses from his presence trembling shriuk,
And fly the land, with Liberty their guide,
To the hills laved by Tyber's yellow flood.
There, once again their faded charms revive,
And fresher wreaths of laurel bind their brows.
There, once again those Arts rear up their heads
With Liberty well known to Greece before,
With her to Alpine snows or Libyan sands.
But still to wander, still to change their seat
The heavenly maids are doomed: nor yet had reached
Their fated Empire, their eternal Home.
For lo! from Scandia the Barbarian crouds
Pour like a deluge o'er the hapless plains
And cities of the forlorn Italy.
'Twas then on Albiou's sea-encircled coast
The Muses sought their last, their best retreat:
There, safe from lawless power, from barbarous rage,
They fear no tyrant, feel no galling chain:
From chance or change henceforth alike secure
As the firm base of George's lawful throne:
There, other Sages, other Poets rise,
Rivals of Roman, of Athenian fame;
But chief where Isis winds her wat'ry store
Thro' many a grove and awful deep recess.
These peaceful bowers, these venerable walls,

For meditation meet, and thought profound,
These Pallas marks exulting for her own;
Well pleased to see a second Athens rise
In freedom equal, in renown not less.
Fair Science here unrolls to mortal view
Her ample page to souls that dare explore
Her sacred heights, and snatch the glorious prize.
The Inspiring presence of the Delian God
Pours on the poet's breast its warmest beams,
But chiefly when he pays to North's great name
The tribute (from a nation due) of praise,
Not to bestow, but thence to borrow fame.
Circled by crouds, with public ears oppress
Of Europe and of Asia—'midst the din
Of Faction and of Tumult's erring voice,
North still finds leisure to be wise and good,
And to protect those Arts which make him truly great.[1]

In March next year (1774), Sir David read an Essay or Declamation on 'A comparison of the Athenian and Spartan Constitutions,' in the Hall of Christ Church College. He prefixes to the essay this Note :—

The subject proposed was, 'Whether the Athenian or Spartan constitution was the most excellent?' and Lord Lewisham, to whom the option was given, having chosen to support the latter, it fell to me to defend that of Athens.

The Essay is as follows :—

As the constitution and laws of a country have not only an extensive influence over the manners and genius of its inhabitants, but are likewise the greatest source of happiness or misery to each individual in it, an inquiry into the nature and excellence of those systems of laws which were most famous in antiquity must appear highly useful to every person who is interested for the welfare of his own country; for from a knowledge of these we may draw the most certain instructions for correcting, improving, and administering our own.

Before we begin the enquiry which is the subject of this essay, or indeed any enquiry of the kind, it appears necessary to examine what sort of constitution is the most excellent; and here I should think no person would hesitate to determine in favour of that sort which is most agreeable to nature, and best suited to promote the happiness and interest of mankind. If therefore we allow that war is an unnatural state for man: if we believe that his chief happiness was meant to consist in the

[1] Holograph copy at Kinnaird.

exereise of virtne, and in the enltivation of that nobler part of his being which alone gives him the pre-eminenee above the brnte ereation, we mnst of eonseqnenee eonelude that a eonstitution which pays no less attention to the arts of peaee than to those of war; no less to the powers of the mind than to the strength of the body; and no less to the feelings of hnmanity than to the glory of martial exploits, mnst, when eompared with another whose only objeet is military exeellenee, be as snperior to it as the natnre of man is above that of brutes. Sneh a superiority does the eonstitntion of Athens seem to have over that of Sparta; and this will appear elearly by examining more partienlarly the different institutions of those two Repnblies. The whole foree of the Spartan system of laws was directed towards making the eitizens good soldiers: a eharaeter whieh requires strength and aetivity, eontempt of labour, and even of death itself, and expertness in the art of war. In order to attain this end, the laws of nature were negleeted, and hnmanity itself saerifieed. To attain this end the ties of eonjugal fidelity were broken; parental affeetion and filial dnty were both extinguished, and all the endearing eharities of life banished from the republie. The yonth, being edneated merely for war, were instrneted in nothing whieh did not appertain to that art, so that if the genins pointed to any other stndy, it was prevented from exerting itself. Indeed the legislator seems to have nsed every means in his power to prevent a Spartan from being usefnl to his eountry in any other eharaeter than that of a soldier. He prohibited a eitizen from interfering with eommeree or agrienltnre, and from pnrsning any meehanieal profession.

Some of the other methods whieh the Spartan Legislator employed in order to effect his pnrpose eannot be mentioned without horror and detestation. That the state might have none bnt robnst eitizens, the laws positively enjoined that every ehild who appeared weakly shonld be exposed: to try the fortitnde of ehildren, the eustom was to lash them nnmereifnlly, nay even sometimes to death, before the eyes of their parents, who stood by as nneoneerned spectators: and to aeenstom the youth to the stratagems of war, they were at eertain times sent ont on parties by night to snrprise and massaere every unarmed, wretehed, nnresisting Helot whose evil destiny threw him in their way. Indeed, the innumerable barbarities whieh the Spartans eonstantly exereised against the Helots is of itself sueh an indelible stain on their hnmanity that their most eonspieuons.virtnes eannot effaee it.

Sneh were some of the horrid eonsequenees of a eonstitntion formed for war alone. Let us now tnrn to the more amiable pieture whieh the Athenian system of poliey presents to us. And indeed it wonld, I think, have a suffieient elaim to preferenee, were it only fonnd to be free from those blots on hnmanity whieh disgraee the other; bnt its merit is by no means eonfined to this particnlar. As its aim was to make the state no less flonrishing during peaee than in time of war, so it bestowed no less attention on rendering the eitizens nsefnl dnring the former than in the latter. A Spartan dnring peaee was an idle and an nseless member of

society; a burden to the earth, which he would not stoop to cultivate even for his own subsistence. An Athenian, on the other hand, not being restricted to the profession of arms, but encouraged by the state to follow the bent of his own genius, could betake himself to agriculture, to commerce, or to any mechanic art, with honour and profit to himself and to his country. If his disposition led to none of these occupations, his liberal education gave him an opportunity, which ignorance denied to the Spartan, of exercising the faculties of his mind to the noblest purposes, and of procuring, by this means, a more lasting fame to his country than could have been purchased by the most hardy exploits. From this circumstance alone the superior excellence of the Athenian constitution is demonstrated; for while Sparta only produced renowned warriors, Athens gave birth to a race of generals, statesmen, orators, philosophers, and poets, who during their lives were the ornament and glory of their country, and still preserve its fame unrivalled by any other nation.

It may be alledged that the long duration of the Spartan republic, and steady adherence of the people to their antient laws, is a proof of the superior excellence of the Lacedemonian constitution above that of Athens. But supposing the whole of this assertion to be true (which it is not, for several innovations were made at Sparta both before and during the Peloponnesian war), yet I cannot see that it carries much weight with it. With equal propriety might it be affirmed that a coarse machine, whose movements are performed by a few strong durable wheels, is more excellent, and has superior merit to the most ingenious and useful piece of mechanism, which, from its complicated structure, may be of course more liable to be deranged.

It may be said, too, that the encouragement of the fine arts at Athens introduced luxury among the people, and led them into many vices from which the Spartans were secured by the austerity of their constitution and customs. To this objection it may be deemed a sufficient reply to observe, that while the Spartans were defended by their austerity from luxury, and all the vices in her train, they were by the same temper too often led into the contrary and no less culpable extreme of brutality and savageness.

To conclude, if the Athenian constitution was not the most striking nor the most durable of the two, it must at least be allowed to have been the most amiable, the most agreeable to nature and humanity, and, I think I may venture to add in its praise, of the two the most like to our own. Indeed I cannot doubt that the preference will be given to it in this country, where the occupations of peace are pursued with so much success; and I trust that it will be judged of with particular favour in *this* place, which is no less renowned for the cultivation of the liberal arts than Athens herself, which boasts to have given birth to them.

At intervals Sir David continued to cultivate the Muse. In 1777 he

sent the subjoined verses to Miss Doig, as an apology for his long silence :—

If yet some spark of former kindness rest,
To kindle merey, Delia ! in your breast,
See at your feet a eulprit trembling lies,
And, till you smile his pardon, will not rise.
Of your just wrath he dreads the weight to feel,
Tho' hope still whispers, Delia is not steel :
Her tender heart will listen to his tale,
And Pity o'er her vanquish'd rage prevail.
He owns his silenee is without exeuse,
Yet still, O Delia ! for forgiveness sues.
Long in a sea of Dissipation tost,
To Reason's voiee and ealm Refleetion lost,
Careless he rov'd, and spread out ev'ry sail,
Youth at the helm, while Pleasure blew the gale.
But now are past those follies of the day,
Aud yield to reason her aeeustom'd sway.
With her returning eome a sober train,
The sweet eompanions of her peaeeful reign.
Consideration first approaehes slow,
With eautious tread, eare markt upon his brow :
His watehful eye he frequent easts around,
And ere he step, examines well his ground.
Him following elose behind, *Attention* next
Advanees silent, his regard more fixt :
His sister *Study* still attends his side,
Direets his mareh, and proves his faithful guide.
And see, in mingled troop not far behind,
Eaeh manly virtue of the vigorous mind :
Amid them, *Temperance*, Reason's safest guard,
And buxom *Health*, her followers' sure reward.
For these eompanions gladly I resign
The joys dear bought at flattering Pleasure's shrine.
Her eourt I quit, nor ever wish to east
One other look upon the follies past.
But Reeolleetion still disturbs my rest,
And plants her thorns to rankle in my breast.
My former errors rush upon my view,
And none more glaring than negleet of *you*.

'Tis not enough that, conscious of my crime,
Each day I plann'd th' apologetic rhime;
While still each day fresh obstacles arose,
Nor left me leisure even to write in prose.
'Tis not enough my breath I spent in vain,
To urge your sister to take up the pen;
That oft I prest your niece with equal zeal,
But saw without example Preeepts fail.
These mark the pangs a troubled conscience felt;
No pleas for mercy, but sure proofs of guilt.
Yet tho' they fail my silence to defend,
They show a constant purpose to amend;
They show a mind, tho' erring from the track
Which duty points, still struggling to get baek.[1]
And now, regain'd at length that wisht-for path,
Let her not droop beneath your killing wrath.
Banish that frown which lowers upon your brow!
That starting tear! Ah! give it leave to flow!
And see! returning smiles adorn your face,
The lurking dimples seek their wonted place.
I see bright mercy beaming from those eyes,
And kiss the hand streeht out to bid me rise.
Yes, Delia! yes! this fault shall be the last,
Do you but pardon and forget the past.
So shall the muse your goodness still proclaim,
And without blessings ne'er pronounce your name.

Again, in 1779, he thus welcomed a relative to Kinnaird:—

To Mrs. Doig, on her arrival at Kinnaird, 1779.

Since with your presence you have deigned to grace
The uncouth mansion of this antient place,
Accept our thanks, O Anna! and receive
The heartiest wellcome that your host can give.

Long from your eountry and your friends remov'd,
From those who lov'd you, and from those you lov'd,

[1] The four preceding lines were originally thus written:—

But tho' they fail my silence to defend,
Yet still they show a purpose to amend;
A mind still eager to regain the track
Which duty points, and struggling to get back.

You came at length to dry afflictiou's tear,
And make it lighter by the share you bear.
Tho' pleased that ought could move you to return,
We praise the motive, while the cause we mourn.

But while to grief the tribute due we pay,
Let it be banisht on this happy day:
This day whieh brings thee, Anua! to our arms,
And with thee brings the heiress of thy eharms,
Thy lovely daughter, in thy footsteps nurst,
Another Anna, graeeful as the first.

Welleome! thrice welleome! long expeeted pair!
O too long strangers from your native air!
Too long 'midst courts and eities used to shine,
To talk with beaux, with aldermen to dine,
With eause we dread no pleasures you will find,
To country folks and eountry fare eonfin'd.
What ean amuse you here, when all must tire,
The homebred ladies and the farming squire?

Yet here to taste without reserve 'tis given,
The ehoieest bounties of indulgent heaven.
Here we may boast that purity of air
Which wealth eau't purehase to St. James's Square;
Nor ean they raise, from Thames's yellow tide,
The limpid bev'rage by our springs supplied.
From the green fields unclouded health we bring,
Aud spirits lighter than the breeze of spring.
In soeial mirth the livelong day we spend,
And that at leisure with the easy friend,
And wheu the eyes in gentle slumbers close,
No nidnight revells break our sweet repose.

If these be blessings, eome, O lovely pair!
Our health, our quiet and contentment share.
With partial fondness to your country kind,
Forget the luxuries you left behind.
But see how here unceasing pleasure flows,
Aud ne'er ean ebb while warmth of friendship glows.
Here view how month on month unheeded rolls;
We feel no surfeit in the feast of souls.

Following the example of his father, Sir David Carnegie was active in his endeavours to recover the remainder of the estates which had been forfeited by the fifth Earl. As already stated, he purchased the baronies of Arnhall and Leuchars in 1779 and 1782 for the respective prices of £7300 and £20,600. In 1789, he also purchased for £32,000 the barony of Old Montrose, and the lands of Marytoun, Ananie, and Fullarton, all in the county of Forfar. Old Montrose was a very eligible acquisition for the proprietor of Kinnaird, as the two estates adjoin and bound each other on the east portions of Kinnaird.

In the course of his arrangements for consolidating the Southesk estate, Sir David Carnegie, in addition to less important sales, sold the following estates which lay distant from Kinnaird :—Leuchars in 1785 for £31,500 ; Arnhall, including the Burn, in 1783 and 1796, for £22,200, 1s. 11d. ; and Pitkennedy and Framedrum in the parish of Aberlemno in 1794 for £2850.

Among the many improvements effected by Sir David on the Southesk estates was the rebuilding of the Castle of Kinnaird, in the years 1791 and 1792. This large and commodious castle, which was then the largest in the county of Forfar, has been already described in the Introduction.

Having succeeded in recovering the territorial Earldom of Southesk, Sir David began to move in a claim to the titles of honour of Earl of Southesk, Lord Carnegie, etc. In the year 1782, he consulted two eminent English barristers, Mr. Wallace and Mr. Serjeant Hill, on his right to those dignities, in consequence of his being descended not from the forfeited earl, but from his collateral heir-male. He was advised by Mr. Wallace that he had no right to the honours which were forfeited, inasmuch as there was no provision in either of the two letters-patent for the substitution of the younger sons of the first earl under any circumstances, analogous to a remainder in the English law. Mr. Hill gave it as his opinion that Sir David could not claim the titles, as there was no substitution or remainder in either of the patents after an estate tail in James Earl of Southesk ; but that in both there was but one limitation, which is to the patentee and his heirs-male ; and that on the supposition that this is a sufficient limitation in tail, notwithstanding the omission of the words 'of his body,'—the most favourable supposition to the claim, and the true construction of the

limitation, as he thought,—he considered that the whole right to both titles was in James Earl of Southesk, who was attainted, and consequently that, by his attainder, the whole entail in both patents was forfeited.[1]

Sir David acquiesced in this advice, and did not persevere in the attempt to establish his claims. Although destined not to recover the titles of honour of his family, but to remain a commoner, he found many opportunities in his sphere for the active and useful exercise of his great abilities for business, and for his many accomplishments. When a young man, he travelled on the Continent; and he afterwards made many tours in England and Scotland, of which he wrote journals, which are still preserved at Kinnaird. His account of a dinner with the Duke of Athole at Dunkeld, and of the beauties of that delightful district, as well as of Blair Castle, the principal residence of the Athole family, may be given as a specimen of the travelling journals of Sir David.

14*th* [*July* 1786].—We went to dine at Dunkeld, and after dinner were carried by the Duke of Atholl to what was formerly called the Hermitage, but, being now rebuilt in a new and magnificent taste, ought rather to be termed a banqueting house. From a picture of Ossian that covers the doorway, the Duke terms it Ossian's Hall, and we found in it, when we entered, a dessert of strawberries, and other fruits, which exceeded far any idea I ever conceived of the feasts of shells, so much celebrated by the old bard; but I will not be so bold as to add that the music of Neil Gow's[2] fiddle, which we enjoyed, can be compared to that of the harp of Ossian. The situation of this room above a cascade of the Bran, and the view of the rugged course of that stream above the fall, are exceedingly romantic. The effect is heightened by mirrors so placed in the ceiling that the water seems to run upwards, and upon the whole this place, and the scenery about it, are in the highest degree delightfull; tho' I will not affirm that the elegant decorations of the room are properly combined with the rude scenery in prospect from it. The greatest beauty of Dunkeld, in my opinion, is the broad walk stretching along the banks of the Tay, adorned with stately trees of various kinds, and disposed so naturally that art is never so apparent as to be offensive. The elegant and venerable ruins of the cathedral of Dunkeld terminate one end of this walk; they are an object which no expence can supply, and for which one must be indebted to

[1] The decision of the House of Lords on 11th August 1848, in the Perth Peerage case, which was analogous to the Southesk Peerage case, shows that these opinions were well founded.

[2] Neil Gow's residence was at the village of Inver, which is near to Ossian's Hall.

good fortune for being placed near them. Perhaps in this instance the possession of them almost compensates for having a village annexed to them, placed at the very gate of the Duke's house. This village on one side, the roads to it and the river Tay on another, confine Dunkeld very much, especially as there is no bridge, and you are obliged to cross in a boat, even to get to the Hermitage. To get a bridge is possible, however, and the road may then be altered so as not to run between the house aud the river, by which these defects may be obviated, and upon the whole, Dunkeld will then be one of the most compleat places in Britain.[1] Most species of trees, and eveu of the more delicate shrubs, thrive here wonderfully. The Weymouth pine has grown to a great size. There are the largest birch trees I ever saw, and even the Scotch fir is a magnificent tree, with a fine stem and spreading branches. Here are larches near fifty years old, of au immense size and the greatest beauty, still continuing to thrive, and keeping far ahead of all their coeval neighbours. This tree promises, in every respect, of timber, as well as beauty, to be an acquisition of immense consequence to Scotland; and, as it grows in all climates aud situations, may in a century be the great means of covering our naked mountains, and changing the face of the country.

We returned in the evening to Delvin. The road between that place and Dunkeld along the course of the Tay is not without its beauties; and the situation of Stenton, under an almost impending rock in a uarrow gorge, thro' which the river seems to have workt its own passage, is highly picturesque.

15*th.*—We remained this day at Delvin, and in the afternoon took a ride to the Loch of Cluny, and sailed round Lord Airly's island and castle, which are both very small, and have nothing about them worthy [of] notice. Mr. Elder's house on a bank above the loch is the ouly pleasing feature in the whole scene; for I scarce ever saw a piece of water of the same size that produced so little effect.

16*th.*—In our way to Blair we stopt some hours at Dunkeld, and went to the King's seat, which is the top of a considerable hill covered with wood, from which there is a fine view of the valley or strath through which the Tay passes before it reaches Dunkeld. There is still a higher eminence, the top of Craigie barns, which we had not leisure to visit, but admired the wood growing to the very summit of the hill. Between these two eminences there is a chasm, and the rocks on the sides of it correspond so much that one would be tempted to believe they had been torn asunder by some convulsion of nature. Thro' this chasm there is an idea of conducting the public road when it is removed from the Duke's grounds, which it so much intersects at present. . . . .

The road from Dunkeld to Blair has often been celebrated for its beauty, and not without reason. You go for several miles along the banks of the Tay, passing every now and then some gentleman's seat, pleasantly situated and embosomed in

[1] A splendid bridge was afterwards built, at great cost, by John Fourth Duke of Athole.

wood. The rieh vale in whieh Faskelly stands, the snug situation of the house and garden, and the wooded emiuenees around, must eateh the eye of the most inattentive observer. A very suddeu change of scene is presented when we enter the pass of Killieranky, and the remembrauee of the battle there, and the death of Dundee, adds to the awe with which the mind is inspired by the prospect of the rude rocks and the torrent rushing between them. From the further end of the pass, the house and grouuds of Blair begin to appear, and rise magnifieently in prospeet every step you advanee towards them. Blair stands upon the declivity of a bank in a more extensive bottom than is usually found among the hills. The grounds or rather parks belonging to it reach down to the Scone, a small river which, like most mountain torrents, marks its eourse with devastation, and is neither confined nor embellished with roeks in the neighbourhood of Blair. On the other side, the eountry rises quickly to huge and naked mountains, but near the house the eminences, and even some high hills, are covered with planting, and there is a den of considerable length aud beauty, with various walks thro' it. In the grounds there are likewise two caseades, one natural, which I saw under every disadvantage of a remarkably dry season; the other contrived by turning the course of a small strcam over the faee of a roek, whieh makes a pleasant view from a sort of grotto built opposite to it. Trees thrive here equally well as at Dunkeld, tho' I am told there are no oaks much farther up the country, and the lareh, as usual, possesses its aseendaney over the rest.

The old House of Blair must have had a eurious appearance, since even now, that two stories are taken off it, the house is still a very high one. The rooms are in general good, but unluekily the best one is at the top. Upon the whole, mueh expense has been bestowed upou it in the alterations and the fitting up, and one cannot help regretting that the money was not better bestowed, for the house is eonfused, and must be ineonvenient.

Sir David always took an active part in the management of the affairs of the large and important county in which his estates were situated, and he was looked up to as a leader in political and other matters connected with the district where he resided. At the general election in April 1784, he was elected member of Parliament for the group of burghs consisting of Montrose, Brechin, Aberdeen, Bervie, and Arbroath.[1] Again, at the general election in 1796, Sir David was elected member for the county of Forfar. In politics he was a Whig, being one of only three or four of the county members for Scotland who were on that side, and he remained constant to his party, though strong inducements to an opposite course were

[1] The Reform Act removed Aberdeen from that group and substituted Forfar.

held out to him by the Ministry of the day. Sir David continued to represent Forfarshire till his death, which took place in 1805. At a meeting of the freeholders held at Forfar on 24th June that year, for the purpose of electing a successor to him, it was unanimously resolved that they should record in their minutes their heartfelt grief for the heavy loss which the country had sustained by the death of Sir David Carnegie; and the Honourable William Maule of Panmure, having been elected to supply the vacancy which his death had caused in the representation of Forfarshire, spoke in terms of high eulogium of his predecessor. The following is an account of the proceedings:—

The Honorable William Maule moved the following resolution, and desired that it might be put on record:—Moved, That before proceeding to the election of a new representative, the meeting should, in the most public manner, express their heartfelt grief and concern for the heavy loss which the country in general, and this county in particular, have suffered by the death of their late most able, worthy, and active representative, Sir David Carnegie, Baronet, of Southesk, and that the same should be entered on their minutes as a token of the high respect they entertain for his memory, and tribute of gratitude for his good services to his constituents, both in his public and private capacity. Which motion was instantly seconded and agreed to by the meeting, who unanimously resolved accordingly.

The Honorable Mr. Maule being unanimously elected, he spoke nearly to the following effect:—Gentlemen, at the same time that I beg leave to return my warmest thanks for the distinguished honour you have just now conferred upon me, I most deeply regret the event that has placed me in my present situation. This county, gentlemen, has suffered a loss which will be long and severely felt; and I am already sensible of the numerous difficulties I shall have to encounter in my endeavours to fill the place of a man who, in every situation in life, discharged his duty with so much honour to himself, and so much to the satisfaction of every person who had the pleasure of his acquaintance. I have only to assure you, gentlemen, that however unworthily I may fill that place, as far as lies in my power, my conduct shall be invariably guided by a due regard to the principles of the British constitution, the dignity of the Crown, and liberty of the subject.

At the time of his death, Sir David Carnegie was Deputy-governor of the British Linen Company Bank. His relative, the late Earl of Northesk, had held the office of Governor of that prosperous establishment.

Sir David Carnegie married Agnes Murray Elliot, daughter of Andrew Elliot of Greenwells, in the county of Roxburgh, and Lieutenant-Governor

of the Province of New York.[1] Governor Elliot, in right of his wife, was possessed of a considerable estate near Philadelphia, upon part of which that city is now built.[2] Of that estate he was unhappily deprived, by an act of forfeiture on the part of the Government of the United States, who, during the American War of Independence, attainted him of high treason in June 1778 for his faithful adherence to the British Government, by whom he was appointed.[3]

While in America, Mr. Elliot, by his uprightness, humanity, and benevolence, gained a high place in the esteem of all parties; and when about to leave New York for England, at the end of the year 1783, or at the beginning of the following year, after articles of peace had been concluded at Paris, 3d September 1783, by the Plenipotentiaries of the United States and of his Britannic Majesty, he received from several persons of note in the American service, letters expressing their high estimation of his character and conduct during the late unhappy contest. Three of these letters, including one from the great Washington himself, are so illustrative of the admirable qualities of Mr. Elliot, that we are induced to give them a place in this memoir of his son-in-law.[4]

LETTER from ELIAS BONDINOT to MR. ELLIOT.

PRINCETON, 29th October 1783.

SIR,—Being lately informed, with some degree of certainty, that you mean to leave the city of New York for Europe with the British troops, and not knowing whether it was matter of choice, or from any apprehensions of your remaining being disagreeable to the State, permit me, Sir, to offer you any services in my power, and to assure you that, as far as I can judge, your stay will be both agreeable and pleasing to any State where you may think proper to reside, and to promise that I will undertake to obtain the most ample acknowledgment of this temper from the Government of either of the States you may think proper, for this purpose, if you should require it.

Having been fully convinced of the rectitude of your conduct throughout the

[1] Governor Elliot was the third son of Sir Gilbert Elliot of Minto, Lord Justice-Clerk, who was the great great-grandfather of the present Earl of Minto. A pedigree of the Elliot family is given in the Appendix.

[2] A description of that estate is given in the Appendix.

[3] Governor Elliot's Papers at Kinnaird.

[4] Original Letters, *ibid.*

late disagreeable contest, and having experienced the happy effects of your liberality and benevolence to multitudes of our unhappy citizens, who have suffered captivity by the fortune of war, I could not withhold my testimony to your goodness, and contribute my mite in giving you your election, as to your residence in this country, as far as was in my power.

I have the honor to be, with great respect and esteem,

Sir,

Yonr most obedient and very humble servant,

Elias Bondinot.

The Honorable Andrew Elliott, Esqr.

Letter from General Knox to Mr. Elliot.

General Knox, understanding that Mr. Elliot is still in New York, cannot refrain from expressing an ardent desire for his felicity. He begs indulgence when he assures Mr. Elliot that the impressions of respect for him are too strong to be effaced, and that, notwithstanding the perplexing business which gave birth to their acquaintance, he hopes that some future occasion may occur when, unshackled by opposite interests, he may fully enjoy those sentiments which were inspired by the liberal and polite conduct of Mr. Elliot.

Haerlem, Sunday Evening, 23d November 1783.

The Honorable Andrew Elliot, Esqr., New York.

Letter from General Washington to Mr. Elliot.

New York, 1st December 1783.

Sir,—Upon the receipt of your letter respecting Mrs. Jauniey, I did myself the pleasure of waiting upon that lady; and beg you to be persuaded that I shall be happy in occasions of rendering her any service which may be in my power.

I am confident, Sir, it must give you great satisfaction to be informed that the most perfect regularity and good order prevail in this city, and that every description of people find themselves under the protection of the laws of the State.

Wishing you a safe passage, and an agreable sight of your friends,

I remain, with great regard,

Sir,

Your most obedient servant,

Go. Washington.

The Honorable Andrew Elliott, Esqr.

The contract for the marriage of Sir David Carnegie and Miss Elliot was made at Edinburgh, on the 29th of April 1783, and the marriage was

celebrated there on the following day.[1] Of this marriage there were two sons and ten daughters. The eldest son, James, succeeded his father, as will afterwards be shown. The second son, John, is now of Tarrie, as will be seen under that branch of the family.

The ten daughters, who were all born before the eldest son, were :—

1, 2. Christian Mary and Elizabeth, twins, who were born at Edinburgh on 25th May 1784. The former died unmarried, on 7th August 1860 : the latter resides at Leamington.

3. Jane, born at Kinnaird 6th October 1785, and died on 24th April 1859, unmarried.

4. Anne, born at London, 17th January 1787, and married, on 17th April 1822, Rear-Admiral Robert Wauchope, fifth son of the late Andrew Wauchope of Niddrie,[2] in the county of Edinburgh. Of this marriage there was one son, William Andrew, who died unmarried on 21st May 1844. Admiral Wauchope died in June 1862.

5. Mary Anne, born at Edinburgh, 9th May 1788, and died on 2d October 1834, unmarried. She was interred beside her aunt, Elizabeth Carnegie, in the churchyard of St. Cuthbert's, Edinburgh, where a monument is erected to their memory.

6. Eleanor, born at Edinburgh on 23d June 1789, married (contract dated 9th June 1828) James Evans of Norwood, in the county of Middlesex, and died on 27th September 1855, without issue. She was survived by her husband.

7. Agnes, born at Kinnaird on the 18th September, and baptized there on 1st October 1790. She resides at Leamington.

8. Mary, born at Kinnaird on Sabbath, 5th May, and baptized on 7th June 1793. She married, on 6th March 1829, Thomas Henry Graham of Edmond Castle, Cumberland : without issue.

9. Emma, born at Kinnaird on 29th May, and baptized there on 19th

[1] Original Contract at Kinnaird, and Records of the Parish of Edinburgh.

[2] Mr. Wauchope was a captain in the first regiment of Dragoon Guards, and fought at the battle of Minden. The captain is favourably noticed by Sir Walter Scott, in his ballad in commemoration of the visit of King George IV. to Scotland in 1822 :—

'Come, stately Niddrie, auld and true,
Girt with the sword that Minden knew,
We have o'er few sic lairds as you,
Carle now the King's come.'

June 1794. She married (contract dated 6th September 1820) James Douglas of Cavers, in the county of Roxburgh, and had issue, two sons and five daughters. Mr. Douglas died on 17th August 1861.

10. Madeline, born at Kinnaird on 8th January, and baptized there on 19th February 1796. She married, on 11th June 1816, Sir Andrew Agnew, Baronet, of Lochnaw, in the county of Wigton, who died on 12th April 1849, and was buried in the north-west side of the Grange Cemetery, Edinburgh, where a monument is erected to his memory. An interesting memoir of him was published, in the year 1850, by the Rev. Thomas M'Crie, D.D. Lady Agnew died at her house, No. 24, Moray Place, Edinburgh, on 21st January 1858, and was interred beside her husband. Of this marriage there were eight sons and five daughters. The eldest son, Sir Andrew Agnew, Bart., of Lochnaw, M.P. for the county of Wigton, is the author of a history of his family, the hereditary Sheriffs of Galloway.

While in London, attending to his duties in Parliament, Sir David Carnegie died at his house in Gloucester Place, on the 25th of May 1805. On the 31st of that month his funeral took place at St. Martin's-in-the-Fields.

In a short notice of the death of Sir David, which appeared in a contemporary journal, it was said that he was much and justly regretted as an amiable and accomplished gentleman, and an elegant classical scholar.

Agnes, Lady Carnegie, survived her husband for the long period of fifty-five years, having died at Leamington on 9th June 1860, at the advanced age of ninety-six years.

XVII. Sir James Carnegie of Southesk, Fifth Baronet,
(and but for the attainder Eighth Earl of Southesk), 1805-1849.
Charlotte Lysons, Lady Carnegie, 1825-1848.

At the early age of six years, Sir James Carnegie succeeded his father, Sir David, having been born at Kinnaird on the 28th of September 1799.[1] He was left in charge of his mother, Lady Carnegie, with whom he resided chiefly at Kinnaird during his minority, and who superintended, with the greatest care, his education, which, received partly at Eton, and partly under private tutors, was in all respects suitable to his position and prospects.

His education having been completed, Sir James, in the autumn of the year 1818, made a tour through parts of France, Germany, and Italy; and in the following year he revisited these countries. During the year 1820, he travelled in Spain and Holland. And in the spring of the year 1824, he made another tour through parts of France and Italy.

While in Italy during this tour, Sir James became acquainted with Miss Charlotte Lysons, daughter of the Reverend Daniel Lysons,[2] of Hempsted Court, Gloucestershire, the able and learned author of many antiquarian works, the most remarkable being the well-known *Magna Britannia*, the authorship of which was shared by his brother, Mr. Samuel Lysons, Keeper of Records in the Tower of London.

To this lady Sir James was married on the 14th November 1825. The nuptials were celebrated in the house of the British representative at Naples.

After their marriage, Sir James and Lady Carnegie continued travelling on the Continent during at least the greater part of the following year. Leaving Naples at the end of February, they visited Sienna, Florence, Boulogne, Ferrara, Padua, and Venice; and journeying into Germany, they passed through Vienna, Nuremberg, Wurtzburg, Frankfort, and Cologne. At Cologne they embarked for Holland, and visited Rotterdam and the Hague.

[1] Record of Births and Baptisms for the Parish of Kinnaird.

[2] The family of Lysons is of great antiquity. They have been settled in Gloucestershire from the time of Edward I. of England; and their ancestors, for many generations previous to that period, can be traced as a principal family in Wales.—See Pedigree of the Lysons family, p. 464.

Sir James kept journals of his travels in all the years mentioned, a part of which is preserved at Kinnaird. The following extract may be given as a specimen of these journals :—

Account of an Excursion made to the Mountains near Geneva, in company with Rev. Cæsar Malan of Geneva.

On Thursday, June 3d, 1819, we set out about half-past five to ascend the Saléve, a mountain near Geneva. The charms of the scenery and the attraction of Mr. Malan's company rendered this one of the pleasantest excursions I ever made in my life. The rest of the compauy, by their diversity of talent and amiability of disposition, added greatly to our enjoyment. In the countenance of Thrale was seen an enthusiastic piety, mixed with a shade of melancholy. The calm features of Childers betokened the serenity that reigned in his breast. The countenance of Mr. Malan glowed with love to his Creator and benevolence to his fellow-creatures. The boisterous mirth of Miss . . . . and the high spirits of the boys enlivened the scene. We crossed the Aar river in a boat, and then proceeded to ascend the mountain. Thrale took off his coat and cravat, and looked a truly picturesque figure. The mountain was covered with brushwood, and a regular line of crags like a wall adorned its side. The view of the surrrounding country was truly magnificent; the lake lay like a sheet before us, and the town of Geneva at the lower end added, by its antique towers, to the interest of the landscape. We took our breakfast in a 'gorge' between two mountains. The Saléve we had not time to ascend, so we took a circuit round to enable us to get to Cara, Mr. Vernet's, where we were engaged to dinner. Mr. Malan was uncommonly amiable, and his conversation and judicious remarks on the surrounding country, which he viewed as a Swiss and an artist, contributed greatly to my enjoyment. We got very well to Cara after rather a fatiguing day's mareh, quite ready for the excellent dinner which was prepared for us by the Swiss hospitality of Mr. and Mrs. Vernet. A more amiable woman than Madame Vernet in all respects I scarcely ever beheld. Her affection for her family, her kindness to her friends, and her politeness to strangers, serve to raise her high in the esteem of every one.

After the management of the Southesk estates had devolved upon Sir James, on his attaining his majority, he continued and extended those improvements which had been carried on by his father and grandfather. He gradually disencumbered the estates of the debts which had been contracted by his father in the acquisition of land for the improvement of his property, and through circumstances beyond his control. Sir James also acquired additional landed property. In 1822 he purchased, for £48,500, the valuable Highland estate of Strachan, situated in the Mearns, which

afforded excellent grouse-shooting; and in 1829, he purchased, for £9000, the property of Baldovie in the parish of Craig. Besides these acquisitions, the estate was enlarged by the purchase, for £8300, of the lands of Little Fithie in the parish of Farnell, during the minority of Sir James.

Sir James Carnegie took a warm interest in the spiritual welfare of the people of his district. In 1834 he corresponded with the celebrated Dr. Chalmers on the subject of free sittings in churches, and on other matters connected with the extension and additional endowment of the Church of Scotland. The eloquent divine, who was for many years the well-known champion of that scheme, explained his views regarding it in his usual forcible style in the following letter:—

EDINBURGH, August 5, 1834.

DEAR SIR JAMES,—I beg to acknowledge the honour of your much-valued communication.

A preference for local objects is not only most natural, but I feel assured that, if generally acted on, it would in this instance be most productive of good to the cause. My object in writing at present is to advert to your views on the subject of free sittings. I think that a generally low seat-rent is more adapted to the tastes and habits of the Scottish population. Rather than one or two hundred sittings gratuitously, I would hold out from five to seven hundred in a church that held a thousand people at the rate of from 2s. to 6s. a sitting. In the one way you accommodate a small fraction of the people as paupers, and, I fear, encourage pauperism. In the other, you hold out a practicable seat-rent to the generality of the working-classes. Charity schools have done little good in comparison with schools where the fees are moderate. The former system provides for a few scantlings of the people. The latter system has made education nearly universal among the peasantry of our landward parishes. And the same distinction would obtain, I am persuaded, in the matter of Christian education. One great object of our Church Accommodation Committee is, by means, in the first instance, of gratuitous exertion, and then, if possible, of endowments, to secure a regulated and low scale of seat-rents, so as, on the one hand, to help out by the produce of these rents a moderate stipend for the [minister], but, on the other, to make our new churches accessible to the bulk and body of the population.

With many apologies for the liberty which I have now taken, I have the honour to be,

Dear Sir James,

Yours most respectfully,

THOMAS CHALMERS.

To Sir James Carnegie, Baronet, of Kinnaird, Brechin.[1]

[1] Original at Kinnaird.

A considerable number of years had now elapsed since the time that Sir David Carnegie had begun to claim the Southesk titles of honour. The male descendants of the direct Stuart line had become extinct, and on several occasions the Government had extended its leniency to the representatives of the forfeited peers by the restoration of the titles of honour to those in the direct line of descent. This leniency came afterwards to be extended to several collateral heirs; and Sir James Carnegie, uniting with others similarly circumstanced, petitioned the Crown for the restoration of the titles of Southesk. At a later period he adopted separate measures for the restoration of these titles. In July 1847, he presented a petition to Her Majesty, formally claiming the titles of Earl of Southesk and Lord Carnegie. That petition was referred to the Committee of Privileges, before whom his claim came to depend. He afterwards lodged a printed case, and evidence in support of his claim was adduced before the committee on the 11th of August 1848. When the counsel for Sir James, at an adjourned meeting of the committee on the 11th of that month, offered to complete the evidence, the committee did not consider it advisable to proceed further after the adverse decision which had that day been pronounced on the claim to the forfeited title of Earl of Perth,—a decision which appeared in some measure to regulate the Southesk case.

Nothing further was done in the matter during Sir James's lifetime; but after the lapse of a few years, the claim was renewed, and successfully carried through by his son, the present Earl.

Sir James Carnegie for some time took an active part in those political questions which frequently agitated the country in his day. Like his father, Sir David, he became the representative of the Montrose district of burghs in the Parliament of the United Kingdom. He was elected at the general election in 1830, and continued to represent these burghs till the dissolution of that Parliament. For many years before his death, he withdrew from taking an active part in public affairs, and lived retired with his family at Kinnaird.

Of the marriage of Sir James with Charlotte Lysons there was issue, three sons and two daughters :—

1. James, the present Earl of Southesk.

2. The Honourable John Carnegie, who was born at Kinnaird on 14th October, and baptized there on 2d November 1829. He is a commander in the Royal Navy. While in the 'Calliope,' he served in the suppression of the New Zealand rebellion of 1846-7; and during the Crimean war, he was a lieutenant in the 'Sidon,' which was engaged in most of the operations in the Black Sea. On the restoration of his eldest brother to the Southesk titles, Mr. Carnegie and his younger brother and sister were raised to the rank of an earl's children, by warrant under the Queen's hand, dated 30th August 1855.
3. The Honourable Charles Carnegie, who was born at Kinnaird on 14th May, and baptized there on the 11th June 1833. He was gazetted in 1850 to the 23d Royal Welsh Fusiliers. In 1853, he was transferred to the 27th Inniskillings; and he left the army in 1855. He was elected M.P. for the county of Forfar in February 1860, and re-elected at the general election in July 1865. He was one of the Royal Commissioners who were appointed by Her Majesty in the year 1864 to inquire into the law of hypothec in Scotland; a commission which was obtained pursuant to an address moved by Mr. Carnegie in the House of Commons.
4. Lady Charlotte Carnegie, who was born at Kinnaird on 22d July, and baptized in the church of Strachan on 15th August 1839. She married, on 16th June 1860, Thomas Frederick Scrymseoure Fothringham of Fothringham and Powrie, in the county of Forfar, by whom she had two children; Walter Thomas James, born 7th December 1862; and Marion Charlotte Susan, born 20th May 1861. Mr. Fothringham died on 7th March 1864.
5. Agnes, who was born at Leamington on 11th May 1843. She died on 13th January 1852.

Charlotte, Lady Carnegie, died at Leamington on 10th April 1848, and was buried there. Her husband, who did not long survive her, died at Kinnaird on the 30th of January 1849, and was interred in the family burying-vault in the park.

XVIII. James Sixth and present Earl of Southesk, (and but for the attainder Ninth Earl).

James sixth Earl of Southesk was born at Edinburgh on the 16th of November 1827. He received the earliest part of his education at the Edinburgh Academy, and in 1841 became a cadet at the Royal Military College at Sandhurst, where he passed examinations which entitled him to a commission without purchase. In 1845 he was gazetted to an ensigncy in the 92d Highlanders; and on 23d January 1846 he obtained a commission in the Grenadier Guards, in which he remained for three years.

On the death of Sir Thomas Burnett of Leys, Lord-Lieutenant of Kincardineshire, in 1849, the Earl, then Sir James Carnegie, was nominated to that office by the Crown, and he continued to hold it until shortly after the disposal of his estate of Strachan in that county in 1856, when he deemed it his duty to resign the Lord-Lieutenancy.

In the year 1853, Sir James Carnegie renewed the claim originally made by his father and grandfather to the titles of Earl of Southesk and Lord Carnegie. A printed case was lodged for Sir James, and documentary evidence was adduced in support of the claim on the 2d and 15th June 1854, and on the 24th of April in the following year. On the 2d July thereafter an Act of Parliament received the royal assent, enacting that Sir James, and the heirs-male for the time being of David first Earl of Southesk, should be, and were thereby enabled to claim and establish their right to hold and enjoy the titles, honours, and dignities of Earl of Southesk and Lord Carnegie of Kinnaird and Leuchars, with all the rights, privileges, and pre-eminences to which they might be entitled, notwithstanding of the attainder of James the fifth Earl of Southesk.

At a meeting of the Committee of Privileges held on 24th April 1855, after the proofs in support of the claim had been completed, and previous to the Act of Restitution, which was passed in July following, the Lord Advocate (Moncreiff) thus expressed his satisfaction with the way in which the descent of the claimant had been established:—'. . . We have very 'carefully considered the whole of this pedigree, and we do not see that there

'is any ground to doubt that it has been fully made out. And not only so, 'but it appears to us to be very clearly and completely established. In 'regard to those matters connected with the births, deaths, and baptisms, 'I may say that in Scotland, as matter of evidence, we should consider 'the fact of retours of service by one to another of the different baronets 'of Carnegie and of Pittarrow as much better evidence of the pedigree than 'these registers could be.

'*Lord Chancellor.*—That is not the point. I do not think the 'committee at all doubt that. But it is a rule upon general grounds, and 'a very useful one, that they always require in these peerage cases, with 'respect to modern pedigree, to have either the baptismal or other cer-'tificates, or to have it explained why they cannot have them.

'*Lord Advocate.*—Probably the rule is a very proper and safe one. I 'think I may discharge my duty sufficiently, without even recalling your 'Lordships' attention to the pedigree as it stands, by saying that, in my 'opinion, as a law officer of the Crown, this pedigree appears to be made out.

'*Sir Fitzroy Kelly.*—Under these circumstances, all that can be asked 'of your Lordships on the part of the claimant, after what has fallen from 'the Lord Advocate, supposing your Lordships should concur in that view 'of the case, is that the same course may be taken that was taken in the 'case of the Earldom of Perth, namely, a declaration of your Lordships' 'opinion that the attainder is a bar to the claim.

'*Lord Chancellor.*—I understood the Lord Advocate to say that he ad-'mitted the pedigree is made out.

'*Lord Advocate.*—Yes, I confine my observations to the pedigree. The 'attainder seems to be a bar.

'*Lord Chancellor.*—I move that the committee should resolve that the 'claimant has not made out his claim, the reason being that there is an 'attainder in the way.

'The resolution was put and agreed to.'

At the final meeting of the committee on the 24th July 1855, after the Act of Restitution had been passed, the Attorney-General (Cockburn), on the part of the Crown, stated that he agreed in the opinion expressed by the Lord Advocate on a former occasion, that the pedigree had been

satisfactorily proved; and the Committee of Privileges resolved that the claim to the titles of Earl of Southesk and Lord Carnegie of Kinnaird and Leuchars had been established. Lord Southesk was afterwards placed on the roll of Peers in Scotland, with the same precedency as if no forfeiture had taken place, and, as already stated, his brothers and sister received a grant of precedency in the same rank as the children of an Earl.

In the year 1850-1, and again in 1864-5, Lord Southesk passed the winter in France and Italy. In 1859, he travelled in North America, visiting parts of Canada and of the United States; and proceeding by the Minnesota route to Fort Garry in the Red River settlement. Thence he set out on a hunting expedition, crossed the prairies to the Rocky Mountains, and stayed there some weeks, chiefly in the district near the heads of the two branches of the river Saskatchewan. During winter he travelled from Fort Edmonton to Fort Garry, and thence by St. Paul to New York; and, after an absence of nearly a year, he returned to England in March 1860.

Lord Southesk married, 1st, on 19th June 1849, the Lady Catherine Hamilton Noel, third daughter of the first Earl of Gainsborough, and of that marriage there was issue one son and three daughters :—

1. Charles Noel, Lord Carnegie, born on 20th March 1854.
2. Lady Arabella Charlotte, born on 23d October 1850.
3. Lady Constance Mary, born on 17th November 1851.
4. Lady Beatrice Diana Cecilia, born on 16th December 1852.

Lady Catherine Carnegie died in London, on 9th March 1855, only a few months previous to the restoration of the Southesk titles, and was buried in the family vault at Kinnaird.

Lord Southesk married, 2dly, on 29th November 1860, the Lady Susan Catherine Mary Murray, eldest daughter of Alexander Edward sixth Earl of Dunmore, and of this marriage there is issue :—

1. The Hon. Lancelot-Douglas, born on 26th December 1861.
2. Lady Dora Susan, born on 29th April 1863.
3. Lady Elizabeth Erica, born on 29th June 1864.
4. Lady Helena Mariota, born on 13th October 1865.
5. Lady Katherine Agnes Blanche, born on 12th June 1867.

